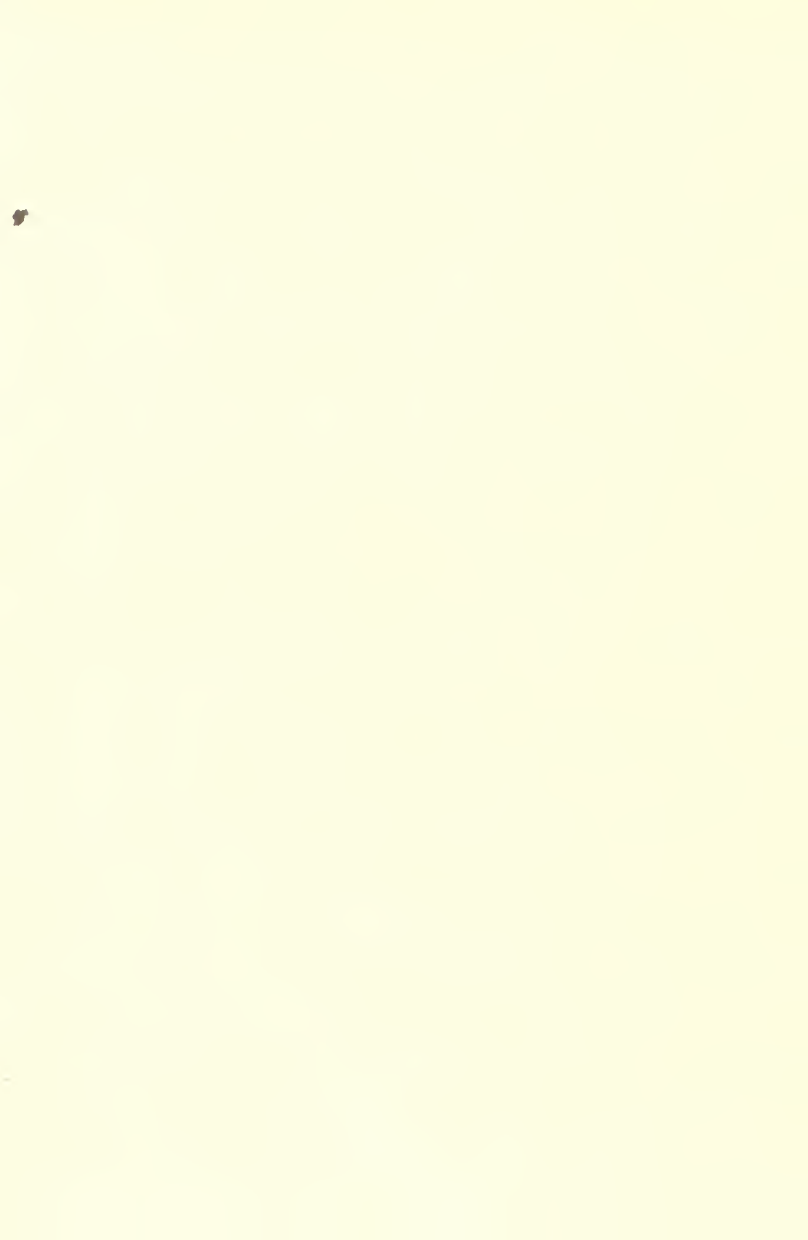
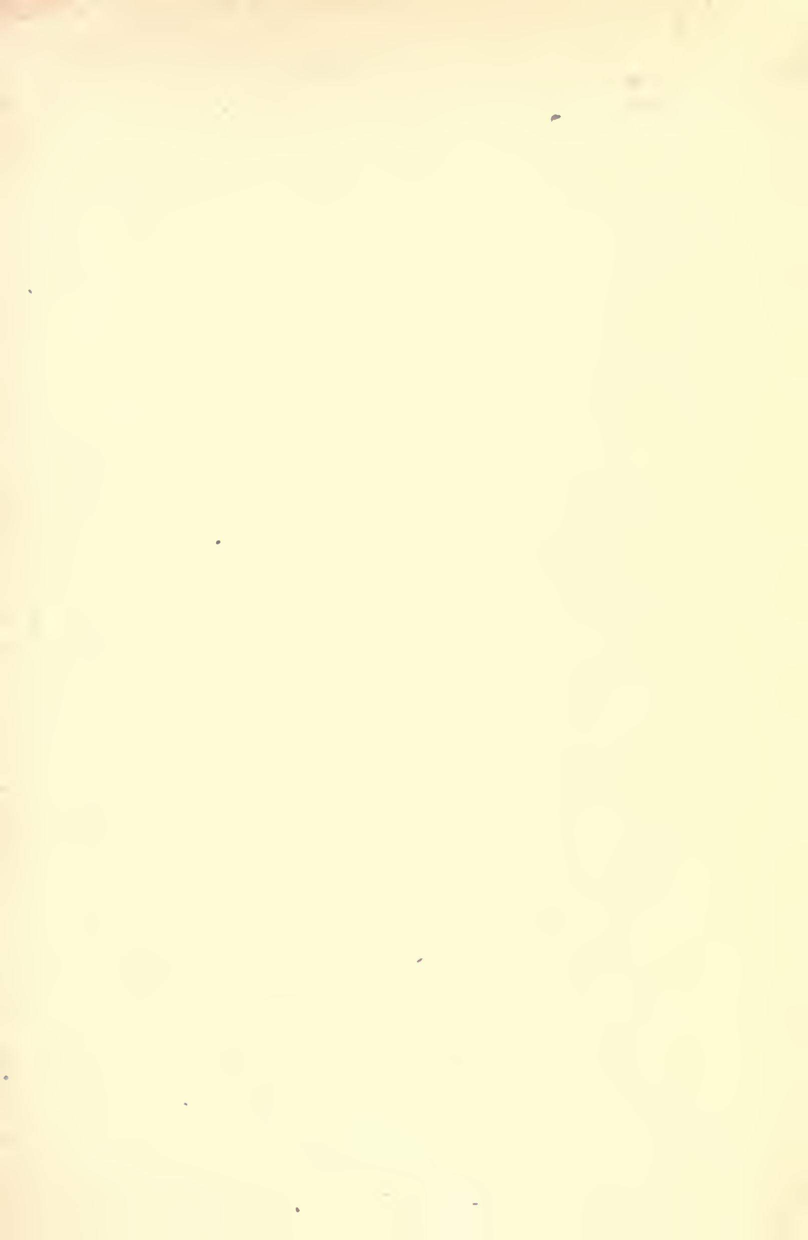
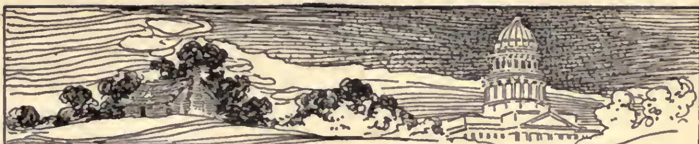




John Adams



JOHN ADAMS

A CHARACTER SKETCH

BY

SAMUEL WILLARD, M. D., LL.D.

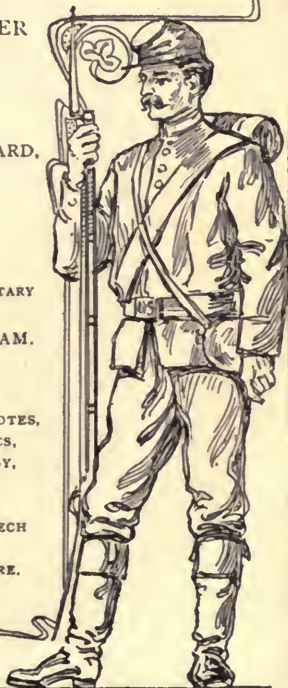
WITH SUPPLEMENTARY ESSAY, BY

G. MERCER ADAM.

INCLUDING ANECDOTES, CHARACTERISTICS, AND CHRONOLOGY,

AND

JOHN ADAMS' SPEECH ON THE BOSTON MASSACRE.

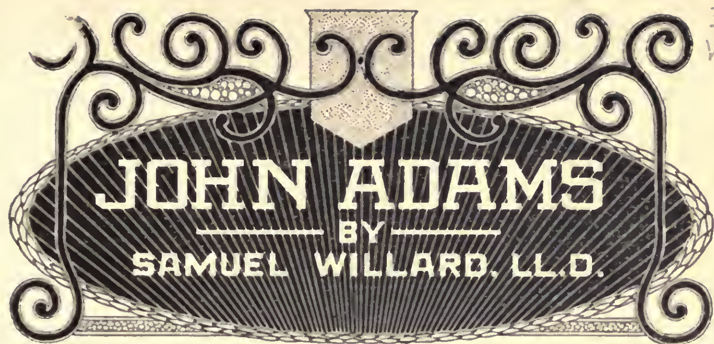


CHICAGO
FREDERICK J. DRAKE & CO.
PUBLISHERS

Copyright, 1898,
By The University Association

Copyright, 1903,
By H. G. Campbell Publishing Co.

E
322
W66j



IN the building of a house, one man must be supreme. The plan must be the product of one mind; if there are suggestions of other minds as to plan and details, they are accepted or rejected, so that one mind finally arranges all. If the owner of the house chooses to leave the matter to an architect after telling him in general what he wants, the architect's one mind perfects plan and details.

We often speak of the building of a state, and compare a state to a grand structure, a house, or temple. But the constitution of a state is never the work of one man. Even if a man is called an absolute ruler, an autocrat, czar, emperor, or tyrant, he really cannot do everything at his own will. Even in Turkey and Persia the sultan and shah find that men can not be moved as if they were chessmen or checkermen. It has been said that Russia is an autocracy, tempered by assassination. Revolt and revolution dog the steps of tyranny.

We have all laughed at the story of the county officers who passed three resolutions: (1) "*Resolved*, that we will have a new jail: (2) *Resolved*, that the materials of the old jail shall be used in building the new jail: (3) *Re-*

973093

solved, that the old jail shall be occupied until the new jail is built." However funny this story may be as applied to a material building, it sets forth the actual problem of the real statesman.

As a nation advances in civilization, in knowledge, in wealth, in moral and spiritual life, its former institutions and customs become the old jail: the new life must be expressed in new laws and regulations, which the true statesman prepares. In doing so, he retains all that is suitable of the old ways; and it will be found that his changes and new enactments are few in comparison with the entire mass of customs and habits of his people: this is occupying the old jail while the new structure is erected. And his changes are in the line of the healthy tendencies of the existing life of the community: he is thus building the new out of the materials of the old. In time, his new structure will become an old jail to a later age, cramping and confining it. Then the same course of events ensues.

In several instances, communities of the ancient Greeks, upon finding themselves in political difficulties, selected their wisest man and gave him full authority to make new laws, and even a new constitution; that is, to revise fundamentally the form of government. At Athens, nearly 600 years before Christ, this power was conferred upon Solon, who proved to be the wisest of all single legislators. Some of his changes were so great that it was said he had moved the country with an earthquake. They were like our revolutionary war in destroying the exclusive power of the nobles, and like our

civil war in giving freedom to a mass of slaves. Wise as he was, he talked of some of his plans with his friends, and doubtless gave some heed to their objections and suggestions. And this is the crowning proof of his wisdom: he recognized the necessity of further changes, saying that he had not given the Athenians the best possible laws, but the best laws for them as they then were. And after he had governed them several years and accustomed them to his laws, he left them and went out of the country, that they might use the new freedom themselves; for he saw that it would be of no use to give them free institutions if he must stay in Athens to keep them going.

Modern states, of whatever form, are the results of the thoughts and work of innumerable men, working in different ways, often in collision and opposition to each other, sometimes in civil war and revolution. The study of history has its greatest interest in the exhibition of this fact. Jewish, Greek, Roman, Keltic, and Teutonic elements appear in our daily life, in our laws, in our constitutions.

The excellence of the work of the makers of the constitution of the United States came from their taking ideas, more or less familiar to the people, and suited to American and Colonial conditions; and these they wrought into a practical and practicable form and scheme. If the geography of the country had been something else, if the history of the settlement and the growth of the colonies had been different, if the people had not been of common and cognate origin from

the British Islands and the Netherlands, the form of government would have been something else, perhaps not even a republic.

American young people, and old people too, if they have not thought over the question carefully, are apt to think that all governments should be like ours, democratic federated republican. If they should hear that in the western half of China the people had set up a republic, they would rejoice at the spread of free government. But experience shows that republics are suited only to very small communities imbued with a strong and narrow sense of patriotism and cohesion, or to well-trained larger peoples.

Scores of republics have flourished a while and then have gone to wreck; some have gone upon the rocks immediately. In 1789, France entered upon the path of revolution; she soon killed her king, drove out or slew her nobles and priests, and with a great flourish proclaimed Liberty, Equality and Fraternity. In less than ten years thereafter, she was under the military despotism of the first Napoleon of iron hand and stony heart: then she recalled her kings; then set up another republic; then succumbed to another military tyranny, which ended in 1870; and only within the last twenty years has it seemed to hopeful Americans that France is to be henceforth a republic, but with certainty of many difficulties to be overcome. Yet no one will deny the high intelligence and ardent patriotism of hosts of Frenchmen.

Switzerland has for 600 years been free from monarchy, and hence, called a republic; but her republicanism

has been very unlike ours; and her whole territory is only four-fifths as large as Vermont and New Hampshire together.

Such facts as these should lead us to admire the more, the wisdom and unselfishness and patriotism of the founders of the independence and constitutional governments of the states and of the nation.

Napoleon Bonaparte.

Small communities have made republics more easily, because their people have had similar habits and feelings, could easily communicate with each other, and could all know something of the men, chosen as officers or rulers. But the constitution of 1787 was so framed, that in connection with the telegraph, railroads, steam navigation, and the modern press, the modern means of communication and information, it may gather under its sway, the whole of North

America in due time. These founders worked with apprehension and even fear that they were attempting an experiment the issue of which was doubtful; but they put into it sincerely and hopefully their best wisdom and effort. We can rightly admire and honor them all, though we number among them such opponents as Hamilton and Jefferson, the Adamses and Patrick Henry.

And this leads to another caution which the young student of history may need to bear in mind. Political opinions are not to be confounded with patriotism. Patriotism is the *feeling* of love for one's country which leads one to give property, effort or even life for the common welfare or the commonwealth. But an *opinion* is not a feeling. Two men may love the country equally, while one thinks revenue is best raised by a direct tax, the other says a tariff is best. However hotly they may argue over it, each may be equally willing to give his life and his all for his country.

The general who retreats may be just as brave as the one who offers battle. Washington was no less patriotic when he accompanied Gen. Braddock to fight for England and King George II, than he was when he commanded the armies of the republic for eight years against George III.

In the contests of the present day, republican should not call democrat an enemy of his country, nor democrat accuse republican of lack of patriotism, so long as each deems the other honest, but mistaken. The demagogue, the political boss and the dishonorable officeseeker are the only enemies of the commonwealth.

Hence, in studying the lives of the early patriots, we can honor as equal patriots the opponents named above, though Hamilton and John Adams feared lest the constitution had framed a government too weak to survive, Patrick Henry and Samuel Adams feared it would be too strong, and Jefferson sometimes used expressions which were anarchic. Each ardently desired the welfare of his country, while differing as to the means of securing that result. Let us judge their opinions, but honor their motives alike. History shows that thus far their fears have proved groundless.

John Adams, the second president of the United States, had the peculiar fortune of being for a while, one of the most honored citizens of the country, intrusted with most important offices and appointments, and rendering services which were recognized as of vital importance to his native land; and then had the misfortune of retiring into private life under a load of calumny and obloquy, which made his name a byword of contempt. But with the fall of slavery and of the predominance of the political cliques and parties that persecuted him unjustly, it is possible to raise him again to his proper place as one of our foremost statesmen.

In 1636, Henry Adams appears as one of the freemen and founders of the town of Braintree, Massachusetts, previously called Mount Wollaston, about ten miles from Boston, to the south and east. In 1792, the northwest part of Braintree was cut off as Quincy, a place famous as the birthplace of the two presidents, John Adams and John Quincy Adams, and of John Hancock. The emi-

nent Quincy family was early settled here. And from that part of old Braintree came the Quincy granite to build Bunker Hill monument, whose architect was a citizen of that town.

Of the English family from which Henry Adams came, little can be said. The name probably indicates an origin from the Welsh border of England, where such names as Williams, Peters, Davids, John or Jones, Thomas, and the like are more common than elsewhere in Britain. Among those to whom Charles I granted the charter of the colony of Massachusetts Bay, there is found the name of Thomas Adams, who must have been a man of some wealth and importance. It is guessed that Henry was a younger brother: Thomas did not come to America.

Henry Adams neither brought nor won wealth. The Puritan farmers had a hard time to maintain themselves on the sterile soil and in the bleak climate of New England. His whole estate as inventoried at his death, was scanty enough: a little land, a three-room house, a barn, a cow and calf, some pigs, fodder for the beasts; and in the house, kitchen utensils, three beds, a few old books, and one silver spoon.

But this hard land made strong men. The weak went early to their graves with consumption: the strong survived and propagated their race.

The Kanaka savage believed that the strength and courage of the enemy whom he slew and ate, entered into him. The New Englander found it so in the strife with Nature. The stinginess of Nature compelled par-

simony, abstinence, labor, ingenuity. The bitter east winds, and the stony hills, seemed to enter into the constitution of the Yankee, so that the genuine son of that stern sad land carries its granite in his blood with a certain fierce force.

The rigid theological system of Calvin, accepted without mitigation by the Puritan, consorted well with the severity of Nature, and intensified the character she generated.

Samuel Adams.

So in Braintree, (local pronunciation is Bran-try,) and its vicinity, the descendants of Henry Adams clung to the soil and grew in numbers, wealth and civic importance, neither poor nor rich, and with but the commonest ambitions. It was enough to live simply, to be upright with God, and to deserve the respect of the community.

Joseph Adams, grandson of Henry the colonial immigrant, had a large family of twelve children, one of whom, John, was the father of the president. Joseph had a brother John, who was the grandfather of Samuel Adams of Boston, the revolutionary agitator. Thus, Samuel Adams, thirteen years the elder of the future president, was his second cousin. The genealogical ta-

ble on the following page will make plain the family relations. Joseph gave the eldest of his twelve children an education at Harvard College. This was deemed an equivalent to a share in the paternal goods; and at his death, he omitted that son in the distribution of his property. The president's father was not the recipient of this advantage, but remained a farmer. He married Susanna Boylston, daughter of Peter Boylston. He was so pecuniarly prosperous, that his property, as listed for probate, was more than sixteen times as much as that of his great grandfather Henry.

The eldest child of John and Susanna, was John, the subject of our memoir, born Oct. 19, 1735, old style, which, according to new style and the calendar then used in Europe, generally, and which we now use, was Oct. 30.

This firstborn, a Sunday's child, the pious parents would gladly have devoted to the ministry of the Christian church. That ambition survived in many a New England family, long after that profession had lost the preeminence and prodigious influence of an earlier time. For this purpose they sent him to Harvard, where he graduated, or, as was then said, *was* graduated, in 1755. Many men afterward, eminent in church and state, were his classmates. There was William Browne, governor of the Bermudas; Sir John Wentworth, two years younger than Adams, governor of New Hampshire, 1767-1775, and as he was a "loyalist" or adherent to the British side in the Revolution, an exile to Nova Scotia, where he was Lieutenant-governor, 1792-1808, dying in 1820;

GENEALOGICAL TABLE OF THE ADAMSES.

Henry Adams, immigrant from England, at Braintree, 1636.

Son

Joseph Adams. Peter Boylston. Capt. John Adams, Mariner.

John Adams, married *Susanna Boylston.*
died 1761.

John Adams, 1735-1826, 2d President.
mar. *Abigail Smith*, 1744-1818.

***Rev. Wm. Smith and *Elizabeth Quincy* were the parents of Abigail Smith, Mrs. Adams. Elizabeth Quincy was dau. of Col. John Quincy and — *Norton.*

Samuel Adams, born 1689.
mar. *Mary Fifield.*

Samuel Adams, 1722-1803.
In Continental Congr., Lt. Gov. Mass.
mar. (1) *Elizabeth Checkley.*
(2) *Elizabeth Wells.*
2 children by first wife:
one was Mrs. Hannah Wells.

John Quincy Adams, 1767-1848, 6th President.
mar. Louisa Catherine Johnson, 1775-1852.

Charles Adams,
died 1801.

Charles Francis Adams, 1807-1886: Minister to England, 1861-8.

John Quincy Adams, 1833.

Chas. Francis Adams, Jr. 1835.
Bvt. Brig. Gen. in Civil War.

Henry Adams, 1838.
Historian and Jurist.

David Sewall, who followed a family tendency, and was long time judge of the District Court of Maine; Moses Hemenway, a noted preacher; Samuel Locke, president of Harvard, fifteen years after his graduation, 1770 to 1773; and Adams's intimate friend, Charles Cushing. Of his rank in College, we know that Adams, Hemenway and Locke were deemed the best scholars. It was the custom then and until 1773, to rank pupils in the catalogue, according to social rank: John Adams, the son of a country farmer, was thus the fourteenth among twenty four.

Of his uneventful life at work on his father's farm, we know naught. As a boy of ten, he must have been stirred with the rest of the community in 1745 by the capture of the French fortress of Louisburg, Cape Breton Island, by the forces of the colonists without an English soldier or officer: it had been considered impregnable, and was a great nuisance to the Americans. New England alone and on her own motion took it. Old England might have learned from this of what sort her children in the West were; and in fact, the very man who as chief engineer of the expedition laid and directed the lines of the besiegers at Louisburg, marked the lines of Bunker Hill.

In the year of Adams's graduation, he must have marked with apprehension, the encroachments of the French, and the defeat of Braddock, while admiring the brave young Virginian colonel, Washington, then first heard of in New England. It was eight years later before the French ceased to be a danger to New England

and the middle colonies. Shortly after graduation, twenty years before the outbreak of the Revolution, this youth of twenty wrote thus to to his friend Nathan Webb:—

"England is now the greatest nation upon the globe. A few people came over into this new world for conscience sake. Perhaps this apparently trivial incident may transfer the great seat of empire into America. It looks likely to me; for if we can remove the turbulent Gallicks [*i. e.*, drive away the troublesome French,] our people, according to the exactest computations, will in another century become more numerous than England itself. Should this be the case, since we have, I may say, all the naval stores of the nation in our hands, it will be easy to obtain the mastery of the seas; and then the united force of all Europe will not be able to subdue us. The only way to keep us from setting up for ourselves is to disunite us. *Divide et Impera*. Keep us distinct colonies; and then, some great men in each colony, desiring the monarchy [he uses the word in its Greek sense of sole control] of the whole, they will destroy each other's influence, and keep the country *in equilibrio*."

This letter was first published in 1807, brought to light by the son of Nathan Webb. Its anticipations and their correctness are remarkable. He anticipates the greatness of America, to become "the great seat of Empire." The extinction of French power in America is expected as a matter of course, though that year had seen three ill-managed campaigns of England against

France in this country. Our growth in population is foreseen: a century from that time the population of the United States slightly exceeded the total population of the British Isles. Naval power is foretold: during the Revolution and in his administration as president, he was always urging the increase of power, both of the national navy and of our mercantile fleet; the war of 1812, the civil war and our war with Spain now current show the wisdom of his policy. Independence is foreseen: he was one of the chief agents in winning it. The danger of sectionalism and divisions among our people he presents, as if foreseeing the "Critical Period," as Mr. Fiske names the years following the Revolution, and the great secession. His own future policy is foreshadowed.

He had not decided upon his profession when he left college. Friends and relatives urged him toward the pulpit, toward which he was somewhat inclined. But Puritanism was essentially polemic or combative. The struggles of protestantism and its several forms of sects to secure their own right to exist, had not led them to any toleration of others. As Spain belonged to the papacy, Scotland to presbytery, and England to episcopacy, so should New England belong to independency of the calvinistic type. They had crossed the ocean and suffered many hardships to make a place for themselves: they could ill bear the intrusion of other religions into their hard-won domain. Besides, their earnestness and their confidence that they alone had the true gospel made them less tolerant. Indifference and doubt find toleration easy; but the indifferent or skeptic mood of mind

has no real toleration, and is apt to be contemptuous or bitter toward earnestness. Much that passes for tolerance in these days is really indifference.

In the sixteenth and seventeenth centuries, toleration was hardly practicable anywhere, so fierce was the contention of sects; and it advanced slowly in New England through the eighteenth century. The domineering spirit of the "orthodox" church kept John Adams from the pulpit, as it had kept John Milton a hundred years before. Neither of these strong men could afford to give up freedom of thinking and speaking. So while Adams was master of a grammar school at Worcester in his first year after graduating, he determined to be a lawyer.

John Milton.

Sixty years later, he wrote to a gentleman who had unearthed a letter of this period.

"I was like a boy in a country fair, in a wilderness, in

a strange country, with half a dozen roads before him, groping in a dark night to find which he ought to take. Had I been obliged to tell your father the whole truth, I should have mentioned several other pursuits. Farming, merchandise, law, and above all, war. Nothing but want of interest and patronage prevented me from enlisting in the army. Could I have obtained a troop of horse or a company of foot, I should infallibly have been a soldier. It is a problem in my mind to this day, whether I should have been a coward or a hero."

Looking at his actual career, we can confidently say that his brave soul would have carried a cowardly body into any danger, if duty bade. But was his disposition to be a soldier due to a pugnacity abundantly shown in later life? Or was it because the necessities of wars with France had made all New England military?

Mr. Adams began to keep a diary when he was twenty years old, and with great gaps here and there, he continued it till 1796. Much of it has been published, furnishing valuable hints for the history of his times. But it has given opportunity for some harsh judgments about his personal character. He often accuses himself of faults, especially of what he calls vanity, meaning undue self-esteem. He says it is his besetting sin.

But as we read this we should remember that he judged himself by the Puritan standards. The Puritans were very religious, and had very rigid codes of morals, and conscientiously adopted strict rules of personal conduct. Their theology taught them to abase themselves and to examine their own lives and thoughts and impul-

ses with great severity of judgment. Every man must be ready to say with St. Paul that he was "the chief of sinners."

In short, a Puritan in those and earlier times was a man with a sore conscience, which he continued to punch and irritate, as medieval monks wore haircloth shirts and flogged themselves with knotted cords. "Woe to them that are at ease in Zion!" was a favorite admonition. In their prayers they told God that they were vile reprobates, worthy of eternal damnation. Really they were sober, industrious, pure-minded, self-sacrificing, upright men. It was said of them that they were so upright as to lean the other way. Their worst fault was this extreme censoriousness, applied to themselves and to everybody else. The Puritan tried to rule all men as he thought he ought to rule himself. Such people, however excellent, are often very uncomfortable neighbors.

There is no reason to think that self-esteem was greater in Adams than in Jefferson or Hamilton, or Washington. Every man must feel that he and his work are worth something in the world, or he will be indeed a cipher.

Doubtless John Adams, like many other people, confounded just self-reliance with exuberant self-esteem, or with undue love of approbation. The most undesirable effect of this tendency was to make one impute wrongly to others such faults as he charges upon himself, and thus to make him suspicious. No man detects vanity in an others quicker than one conscious of vanity. When bitter experience had taught Adams the lesson of distrust,

he is charged with being too suspicious. But let the reader consider the story of his relations to his cabinet, and he will see that the president was not suspicious enough. As men of clear judgment grow old, they become less trustful, but make wiser judgments of others.

Mr. Adams studied law with Mr. Putnam of Worcester while he was a schoolmaster. There was then no such introduction to legal science as "Blackstone's Commentaries" (published 1768); and the student had to elaborate and arrange principles for himself from "Coke upon Littleton" and volumes written in the bad Latin of earlier centuries.

In 1760 Adams writes that he read at Worcester ten folio volumes "besides octavos and lesser volumes," having constant reference to reports and dictionaries. Evidently he studied Cicero, Seneca, Montesquieu, Bolingbroke, for the philosophy of ethics, law, and government.

Returning to Braintree in 1758, he read there in two years Justinian's Institutes (in Latin), taking with it and writing an English translation, Van Muyden's Tractatio Institutionum Justiniani: he lists eight other law treatises. He then complains that he has "a very imperfect system of law in my head:" he will read over and over Wood and Coke; will study on natural law and civil law; master Puffendorf and Grotius; and promised to finish with canon and feudal law – a sort of dessert, as it were, after such an enormous devouring.

Upon such a basis of industry and acquirement did this one of the founders of our republic build his future career; and thus did he fit himself to represent the Uni-

ted States in three courts in Europe. It disgusts an American to contrast with this giant of preparation and ability, some of the names that are proposed for nomination in national conventions in our day.

Jeremiah Gridley, the foremost lawyer of New England, presented Mr. Adams with a complimentary recommendation, Nov. 6, 1758, and the court admitted him to the bar. Gridley favored him, because he liked him. Two points of advice given by the old lawyer are worthy of remembrance: "First, pursue the *study* of law rather than the gain of it: pursue the gain of it enough to keep out of the briars, but give your main attention to the study of it: second, do not marry early, for an early marriage will obstruct your improvement; and in the next place it will involve you in expense."

He soon had so much business that he says no lawyer had more with so little profit in the next seventeen years, which brings us to the outbreak of the Revolution. Fees were small; but, as Mr. Morse says, the colonists were great sticklers for their legal rights, and would go to law on small provocation. This characteristic he finds appearing in their oncoming strife with king and parliament.

The second part of Gridley's advice he minded for six years. Then he married Abigail Smith, daughter of Rev. William Smith of the neighboring town of Weymouth. He thus became allied to the influential families of Quincy and Norton and Shepard: everybody knows how large the Smith family is. The marriage did but increase his business. The lady was for fifty-four

Abigail Adams, wife of John Adams.
(From the Painting by Gilbert Stuart.)

years one of the best of wives, most helpful to him by her fine mind, her wisdom, her courage in trials, and her love. All who read their lives admire her.

Mr. Adams was devoting himself closely to his profession, and abstaining from politics, though not uninterested in what was going on. His nature and habits were not likely to win popularity. The leaders came to see his value and drew him among them.

James Otis.

His kinsman, Samuel Adams, was leader in popular agitation, and was working toward an end that he dared not yet avow, absolute independence. John Adams, as we have shown, foresaw this, but only as something remote.

The famous contest over "Writs of Assistance" occurred in 1761. Adams, attending court as a member of the bar, heard the powerful speech of James Otis, of which we have no account but his. That shows how the argument and the vivid force of its utterance affected him and others. In reminiscence of it he said, "Then and there the child Independence was born." John Adams was resolved from that moment. But he used a similar expression about the event of March 5,

1774, the collision between the soldiers and the populace of Boston. He said: "On that night the foundation of American independence was laid." In fact, George III had begun laying such foundation as soon as he became King.

The writer of biography must presume the reader to be informed of the current of events: we can but mention them. On the passage of the Stamp Act, 1765, Mr. Adams led in calling a town-meeting, at which he presented resolutions of instruction to the representatives of Braintree in the Assembly. They were published; forty other towns adopted them, and Samuel Adams used them in preparing Boston's resolutions. He and most others regretted the work of the mobs that destroyed the houses of Oliver and Hutchinson, for violence tangled the case. Most of the judges of the colony paid no attention to the act, and issued writs without stamps; but Hutchinson, as chief justice and probate judge of Suffolk, would not hold court.

Boston petitioned the governor's council to have the courts opened, and selected as its lawyers to urge the petition Jeremiah Gridley, James Otis, and John Adams, who was not a Bostonian. He had notice Dec. 19th, and had to plead the next day. He spoke first, and took the ground that the Stamp Act was invalid since the colonies had no representation. Gridley and Otis had previously admitted the right of Parliament to legislate for the colonies.

In 1766 Townshend's act laid taxes on glass, paper, paints and tea. This was met by the non-importation

agreement and smuggling. In 1768 Adams moved to Boston. Gov. Bernard offered him the office of advocate-general in the court of admiralty, saying that he asked no compliance in political opinions. Adams promptly refused it.

Statue of Josiah Quincy. Boston, Mass.

That year troops came to overawe the people; and an old statute of Henry VIII was brought up to warrant transportation of alleged traitors to England for trial.

In 1770 Lord North became minister and the King's pliant agent. On the fifth of March occurred the collis-

ion of populace and soldiers, wrongly called the Boston Massacre. Captain Preston and the soldiers were arrested, while the regiments were sent out of the city. By Hutchinson's advice, Preston asked the patriot lawyers, John Adams and Josiah Quincy, to defend him and his men. They did it successfully. Perhaps Hutchinson thought they would lose popularity; but in June, three months before the trial, Boston chose Adams her representative; he had seventy-eight per cent of the votes cast.

Judges had been paid from the colonial treasury. Lord North undertook to control them by having their salaries paid by the King. Adams published arguments against this, and induced the Assembly to impeach Peter Oliver, Chief Justice, who accepted the King's money. No jury would thenceforth serve in his court.

In 1773 occurred the "Boston Tea Party." In all these struggles John Adams was the legal adviser of the patriots. Violence was not used till the last moment. The patriots tried to make the captain of the "*Dartmouth*" take his tea away. The Governor would not give him a clearance. At the end of twenty days the revenue officers would take possession of the vessel and land the tea. A struggle with them must not occur; hence on the night of the nineteenth day, the "Mohawks" committed a private trespass in pouring the tea into the harbor.

In 1774 came the Boston Port Bill; the Quebec Act; the annulment of the charter of Massachusetts; the act to remove trials to England; the quartering of troops

upon the people; and the appointment of Gen. Gage as Governor. This was as bad as James II and Andros nearly a century before.

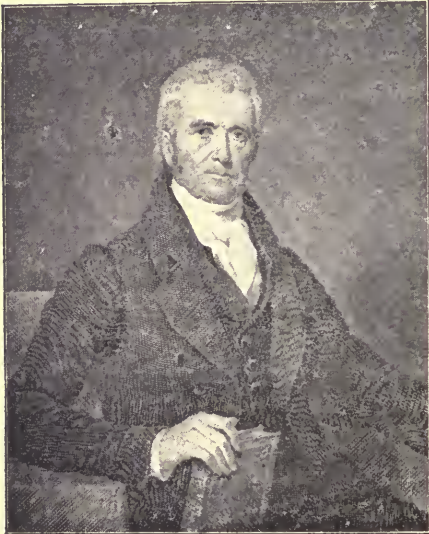
The Assembly held a session with locked doors to prevent the interference of Gage, passed resolutions in accord with the action of Virginia calling upon the colonies to hold another Congress; and these were appointed as delegates: Samuel Adams, John Adams, Robert Treat Paine, James Bowdoin and Thomas Cushing. The first three of these signed the Declaration of Independence. Henceforth the lawyer of the Massachusetts courts is merged into the patriot statesman.

In the greatness of the crisis he felt lost. Who could be "sufficient unto these things?" John Adams looked far beyond the present agitation, which was destructive, in which his cousin as a popular leader excelled; he saw that there must be construction of government as well as overthrow of tyranny.

Such men as Samuel Adams, Thomas Paine, Thomas Jefferson, and Patrick Henry did grand service as consuming fires in the lumber of the old system; but no one of them was a practical builder. Both kinds of men are always needed: the world can spare neither sort; and in that crisis the destroyers must take the lead. Nor was John Adams lacking in that work, though he put in many a stroke for the new structures. He would build as fast as the ground was cleared. In this he was one with Washington, Franklin, Madison and John Marshall.

The resolution of resistance and selection of delegates

to a congress of "committees" of all the colonies was passed on the seventeenth of June, 1774. just one year before the battle of Bunker Hill. It was proposed that the delegates from the several colonies should meet on the first of September next thereafter, at Philadelphia.



John Marshall, American Jurist and Statesman. Born 1755. Died 1835.

All the colonies responded favorably except Georgia, which sent no representatives. Maryland was so prompt that she chose her delegates on the twenty-second of June. Seven others chose delegates in July.

Fifty-six representatives attended: forty-four were present at the opening, Monday, September fifth, from eleven colonies: those from North Carolina were a few days late. This body was called the Continental Congress, and sat in Carpenter's Hall. It was the first united organization of the colonists to resist the tyranny of King George and his Parliament.

It was not the English people's Parliament, though there were in it great-hearted and far-seeing men who

represented the true interests of the nation, such as Burke, Dunning, Barré, Pitt, the Earl of Chatham, and Lenox, Duke of Richmond. But the Parliament was then elected by the influence of few men, and did not represent the people.

It is worth while to review here the story of the growth of English liberty from which sprang American liberty; for the patriots of the Revolution demanded at first only that they be treated as Englishmen, under laws made by a body which was elected to represent the people, in some degree at least.

The Angles, Saxons, Danes and Normans that made the English people always had a great deal of personal liberty. The kings were leaders in war, judges in peace, but paid the expenses of their courts and palaces from the income from the lands called crown lands. The people paid few taxes to the king, except in emergencies.

There grew up the Feudal System under which the knights and nobles made serfs (not slaves) of the common people, claiming from them much of the products of their labor. The knights and nobles were obliged to serve the king in war at his summons; but the king could not claim of them any taxes or contributions beyond certain ones allowed by the Feudal System, called reliefs, aids, and fines: the word *fines* did not have its present meaning.

If the king wanted more money, he must call a meeting of his great nobles and ask for it: he could collect only what they granted. In like manner, a duke or

King John Sealing the Magna Charta.

great noble must call a meeting of the knights and nobles under him and have it voted if he wanted money from them. Thus there grew up the rule "no tax without a vote."

A willful king, if disposed to tyranny, might get more. But in 1215 the very bad King, John, was forced by a rebellion of almost all his nobles to sign a document called Magna Charta, in which he promised for himself and his successors, that all his subjects should be treated justly and according to law, and that he would claim no taxes, but such as should be voted legally. Many other limits were put upon the King by Magna Charta; and it is remarkable that the nobles claimed rights for all freemen, and not for themselves only. The English nobility has always been very different in that respect from the nobility of the continent.

The kings used to call great councils of the principal men of the nation, knights and nobles only, summoning whom they pleased. They also made corporations of the burghers of large towns and cities, giving them charters of privileges in return for which the towns and cities, called boroughs, generally paid regular taxes.

In 1265 a Parliament was called to which each county in England was to send two elected representatives. Soon the boroughs sent representatives. The kings found it profitable to make boroughs, because they often found them more pliant than the nobles. But of course the nobles could have great influence in determining the votes of the boroughs of their neighborhood: many boroughs would sell their votes, electing any man who

would pay their price. Some towns went down to ruin; and the rich man who owned the ground where the borough had been could elect a member of parliament by his single vote.

While the power of the kings grew less as Parliament limited them more and more, and several civil wars strengthened Parliament, the kings and their ministers resorted to bribery to control Parliament. Places with high salaries for doing little were given to those who voted to please the king and his party. Men were made barons, viscounts, earls, marquises or dukes by the King's favor.

But after 1660, the rule that had grown out of the Feudal System was strictly observed: "No tax unless voted by the Parliament;" but all the Feudal obligations were abolished. Hence, came the idea that "Taxation without representation is tyranny."

The mother of George III used to say to him while he was young, "George, be a King." He was really a man of very ordinary ability. But he thought that to be a King he must govern at his own pleasure, and not be limited by the advice of his ministers, who are held accountable. If to please the King, they do an illegal act, they are punished; not he. He had five several prime ministers in the first ten years of his reign, whose quarrels and jealousies he fostered. Pitt (Chatham), was for a while the actual manager of the government, though not called prime minister; the King could not bear him, nor any other really strong man.

At last, 1770, he made Frederick North his prime

minister, finding him to be a man who would let the King have his own way. North was of easy, indolent temper, unwilling to pay attention to public opinion, and with no attachment to any political principle but keeping things as they were.

George III now took control of public affairs as completely as had the tyrant kings of earlier days, doing everything under cloak of the ministry, which certainly covered a multitude of sins against the welfare of England. Mr. J. R. Green ("History of the English People," *Bk. ix*, *ch ii.*) tells us.—

"Not only did he direct the minister in all important matters of foreign and domestic policy, but he instructed him as to the management of debates in Parliament, suggested what motions should be made or opposed, and how new measures should be carried. He reserved for himself all the patronage: he arranged the whole cast of administration; settled the relative places and pretensions of ministers of state, law officers, and members of the household; nominated and promoted the English and Scotch judges; appointed and translated bishops and deans, and dispensed other preferments in the Church. He disposed of military governments, regiments and commissions; and himself ordered the marching of troops. He gave and refused titles, honors and pensions. All this immense patronage was persistently used for the creation and maintenance in both houses of Parliament of a majority directed by the King himself. The shame of the darkest hour of English history lies wholly at his door."

Lord North did not approve of the King's acts. He knew that the King had had a touch of insanity in 1765, the Stamp-Act year. He excused himself afterward by saying in effect that he feared that he would bring on madness again if he worried the King by opposition. So a crazy tyrant and a pliant tool were important instruments in creating American Independence.

King George saw that he would have trouble in raising taxes in England, even with his purchased majority in Parliament. He saw that the colonies were not directly under English law, and undertook to increase their burdens; but when he tried to enforce the old navigation acts and revenue laws which had been evaded, and to levy new taxes, the Commercial States resisted.

When his Parliament altered the charter of Massachusetts and shut up the port of Boston, all the colonies saw that their charters might be revoked and their ports closed: hence, they made common cause with Massachusetts. The Continental Congress united their feeling and their action.

In anticipation of his going to the Congress, Mr. Adams was studying on the questions of the day, though he went on his usual circuits as a lawyer. He wrote in his Diary.—

"There is a new and grand scene open before me; a Congress. This will be an assembly of the wisest men upon the continent who are Americans in principle, that is, against the taxation of Americans by authority of Parliament. I feel myself unequal to this business. A more extensive knowledge of the realm, the colonies, and

of commerce, as well as of law and policy, is necessary than I am master of. What can be done? Will it be expedient to propose an annual Congress of Committees? to petition? Will it do to petition at all? to the King? to the Lords? to the Commons? What will such consultations avail? Deliberations alone will not do. We must petition or recommend to the Assemblies to petition, or ——" The dread alternative of civil war he would not write, even in his diary.

To his wife he wrote his wish for leisure for preparation: "I might be polishing up my old reading in law and history, that I might appear with less indecency before a variety of gentlemen whose education, travels, experience, family, fortune, and everything will give them a vast superiority to me, and I fear, even to some of my companions."

The self-conceit which some charge upon Mr. Adams is not evident here. His solid foundation of legal, historical and philosophical knowledge made him the equal of any, except in the polish given by travel and extensive intercourse with men, and in the fortune of wealth.

His friend, Joseph Hawley, gave him a caution which shows that the jokes of to-day about Boston were already current then. He warns him not to fall into the error imputed "to the Massachusetts gentlemen, and especially of the town of Boston," of assuming big and haughty airs, and affecting to dictate and take the lead in continental affairs. This jealousy of New England was deeply rooted.

All the delegates from Massachusetts, except Bowdoin

started together Aug. 10, going through Connecticut to New York. They were everywhere received with joy, and as public guests. But they found that independence and the war to win it, however evident to them, must not be even whispered.

John said to Samuel Adams that they were going to Philadelphia to enter into unavailing agreements for non-importation, non-consumption, non-exportation: force would be necessary.

In New York, McDougal warned them of episcopal and aristocratic prejudices against "the leveling spirit of New England;" and Philip Livingston betrayed such disposition. At Princeton, Dr. Witherspoon, president of the college, was working on their line; but they were told to be wary as they should approach Philadelphia. The committee that met them to escort them into the city let them know how they were feared as violent enthusiasts. Consequently they roared so gently that Joseph Reed said they seemed mere milksops. They let Rutledge and Harrison outbrave them. "We have a delicate course to steer between too much activity and too much insensibility," wrote John Adams.

Things seemed to go slowly; but by the 17th of September he wrote, "This day convinced me that America will support Massachusetts or perish with her."

Nevertheless the delegation got others, now of one colony and now of another, to put forward their thoughts and plans. Most wanted Massachusetts to steer carefully between obedience and rebellion, like the famous sportsman who shot into the bushes "to hit it if it was

a deer, and miss it if it was a calf." The majority expected ultimate reconciliation with England. Virginia and Massachusetts worked together generally, the delegates from Virginia being Washington, Henry, Peyton Randolph (elected to preside), Richard Bland, Edmund Pendleton, Benjamin Harrison and Richard Henry Lee. Mr. Adams was on a committee to prepare a petition to the King with Lee and Henry Johnson of Maryland, and John Rutledge of South Carolina.

Peyton Randolph, President First Continental Congress. Born 1721. Died 1775.

The middle colonies and their views had little representation in that body, and the report was too sharp: so Dickinson of Pennsylvania was added to rewrite or soften it.

A more important committee was a large one to prepare a declaration of rights. Both Adamses were in this. Their report affirmed that a right of taxation of colonists belonged to them only; but that Parliament might make regulations for the external commerce of all parts of the empire, but not for revenue.

This first Continental Congress was controlled mainly by the ideas of John Dickinson of Pennsylvania, as it was necessary to yield to the middle states, New York, Pennsylvania and New Jersey, and to their conciliation policy. But it approved the Suffolk Resolution that no obedience was due to the recent acts of Parliament; it

adopted Jay's "Address to the People of Great Britain;" it tried to bring in all the English colonies, and sent to England a petition to the King, written by Dickinson. After thirty-one days of actual session, but fifty-two of

Suffolk Resolves House, Milton. Mass. Built prior to 1650. Dr. Warren and the Committee of Safety passed the famous Suffolk Resolutions here.

assembly, it adjourned. Mr. Adams was on the whole encouraged.

A provincial congress was taking the place of the Charter Assembly; and Braintree sent Adams as her representative. He was sent to the Second Continental Congress, which met May 10, 1775. Meanwhile had occurred the battles of Lexington and Concord. John Hancock had taken Bowdoin's place in the delegation.

Mr. Adams found a great change in New York, the

most commercial of the middle states: actual war had stirred the people to range themselves with Massachusetts and Virginia in resistance. He left home with some anxiety for his family: his wife wrote him of a local alarm of an invasion of their neighborhood by a detachment of soldiers who came, however, only to get some hay.

The middle state of Pennsylvania was under the influence of John Dickinson, still hanging back: and many delegates were hopeful of reconciliation, though war was going on. Dickinson succeeded in carrying his point, one more "dutiful and humble petition," called by some the Olive-Branch Petition. But by the same vote there was joined with the order for the petition other measures of warlike character. New York was to be put into a state of defense. Military spirit was rising. It was a significant fact, that Washington came to the Congress everyday in his uniform. He said little: the dress had unmistakable meaning.

On Dickinson's day of partial success came a letter from Massachusetts asking advice about "the taking up and exercising the powers of civil government," since the local government was disorganized. The Congress was forced to act: June 9th, it advised Massachusetts to organize a government. This was a great step toward independence in fact, though many would not so consider it.

Adams now pushed another suggestion of the provincial congress of his State, the adoption of the army in front of Boston, in which were men from other colonies.

June 14th, Congress voted to raise 20,000 men, Mr. Adams promising to raise ten thousand from Massachusetts.

Of course a commander-in-chief must be appointed for this army, to act with the authority of the United Colonies, as they still called themselves. As matters stood, Massachusetts was carrying on war alone, with Gen. Artemas Ward, an esteemed officer of the French and Indian war, as her generalissimo.

Mr. Adams found difficulties in local jealousies and personal ambitions, as well as in the backwardness of the moderates and conservatives. He was never lacking in courage; he was, indeed, liable to be charged with being overbold, so that he chafed under the enforced delays. Private conferences with other delegates reached no result. He told Samuel Adams one morning that he was going to make a bold stroke to end the suspense: he would propose the adoption of the army and the appointment of Col. Washington as commander of it. Mr. Samuel Adams did not assent or dissent.

When John Adams got the floor, he moved the adoption of the army and went on to speak of its commander, eulogizing a certain gentleman from Virginia "who could unite the cordial exertions of all the colonies better than any other person." Though no name was spoken all knew he meant Washington, who was so startled that he rose and went out.

Some said it was a doubtful measure to put a southerner over an army of New England troops now doing admirably under their own officers. Pendleton of Virginia especially urged this, followed by Sherman of Connec-

ticut; and Cushing of Massachusetts fell into line with them. Hancock, the presiding officer, was ambitious for the place. Other aspirants might be jealous and become hostile to Adams; but he never feared enemies when sure he was right. The vote was not hurried; Adams left the formal nomination for some one else. On the 15th of June, Thomas Johnson of Maryland nominated Washington, and he was unanimously elected, and left Philadelphia on the 21st.

John Hancock.

Mr. Adams had now gained two important points: he had had the Congress to advise Massachusetts to establish an insurgent or rebel government; and next to adopt and organize an army that was at war with King George. If this belligerency was not independence, what was it? Nor had he consulted Massachusetts or New England about making a Virginian Commander over her troops. Considering the local jealousies, this was a brave and bold deed. Certainly three New Englanders were at first against him in the Congress itself, and two from his own state. But he trusted the intelligence, liberality and courtesy of his people whom he knew well. His grandson in his "Life of John Adams" says:

"In the life of Mr. Adams, more than in that of most men, occur instances of this calm but decided assumption of a fearful responsibility in critical moments. But what is yet more remarkable is that they were attended with a uniformly favorable result."

Battle of Bunker Hill and Death of Warren. Bronze Door on the Capitol, Washington, D. C.

The American people saw in his conduct in this Congress, in the war, and in his acts as ambassador or envoy, such evidences of pure patriotism, just courage, and high sagacity, that they twice put him next to Washington and once made him head of the government. When he was defeated, it was not from loss of popular confidence so much as by dissensions within his own party.

The result of his moves at this time "set the seal of

wisdom," says Mr. Morse, in his "Life of John Adams," "upon his fearless assumption of one of the greatest political risks recorded in the world's history." And Mr. Adams said that the appointment of Washington would have a great effect in securing the union of the colonies; and further, that he had got them all as deep into the rebellion as Massachusetts herself. While he was doing this, red Bunker Hill showed that Yankee farmers could face and defeat England's veterans.

Soon after, Mr. Adams wrote confidential letters to his wife and to Gen. James Warren, which were taken from the carrier by the British and published by them, to create suspicion and ill-feeling. His private opinions were too strong for public use; they made lasting enemies. To his wife he said in a postscript:

"I wish I had given you a complete history, from the beginning to the end, of the behavior of my compatriots. No mortal tale can equal it. I will tell you in future, but you shall keep it secret. The fidgets, the whims, the caprice, the vanity, the superstition, the irritability of some of us is enough to——"; language failed him at that point.

So much for one barrel of his gun: it seemed aimed at the whole body of Congress; every man might take his share of the shot as he pleased, or generously give it all to his neighbors. The other barrel was aimed more precisely at individuals, but included the seekers for conciliation. Gen. Warren was president of the provincial congress.

"I am determined to write freely to you this time. A

certain great fortune and piddling genius [this hit John Dickinson, leader of the party of delay,] whose fame has been trumpeted so loudly, has given a silly cast to our whole proceedings. We are between hawk and buzzard. We ought to have had in our hands, a month ago, the whole legislative, executive, and judicial of the whole continent, and have completely modeled a constitution; to have raised a naval power, and opened all our ports wide; to have arrested every friend of [the British] government on the continent, and held them as hostages for the poor victims in Boston; and then opened the door as wide as possible for peace and reconciliation. After this, they might have petitioned, negotiated, addressed, etc., if they would. Is all this extravagant? Is it wild? Is it not the soundest policy? . . . . You observe in your letter the oddity of a great man [Gen. Lee]. He is a queer creature; but you must love his dogs if you love him, and forgive a thousand whims for the sake of the soldier and the scholar."

The reader will not wonder at the personal enmities these letters caused. Dickinson ceased to recognize him, and was his enemy as long as he lived (1808). Others of those that had "the fidgets, the whims," shunned him and were cold; even friends showed disapprobation. John Hancock drew away from the Adamses and toward the conservatives. The moderates thought Adams had betrayed the plans of radicals to hurry on independence. The English regarded the letters as evidence of long-planned rebellion. The worst effect was the suspicion which immediately attached to all his proposals, until

independence became inevitable. But Adams was so shrewd and so strong that he was indispensable upon important committees.

Meanwhile Dickinson's "Olive Branch" could not gain even an official reception in England, since it came from a rebel body, and, as C. F. Adams suggests, would look to George III much more like a highwayman's pistol.

New Hampshire asked advice, October 18th, about forming some government for order and justice. Adams joined in the debate, urging the need of some general advice to all the colonies. He argued that the people in their towns should elect delegates to a convention which should form a constitution, distributing powers to three branches, governors, councils and representatives, with independent judiciary; and that this constitution should be referred to the people for adoption and confirmation; and that officers should be elected thereunder.

He was one of the committee to whom the matter was referred, whose report advised a popular government, Nov. 3d. The next day a similar resolution was passed for South Carolina, Adams trying in both cases to bring in use of the word *state* for *colony*, and *America* for *the colonies*. He was opposed to a legislature of a single house and an executive and judiciary made of committees, which was Samuel Adams's ideal.

Adams had gone home during the recess in August, but had little rest, as he had been put on the executive council of Massachusetts.

It took him just a fortnight to reach Philadelphia,

Sept. 13th. Delegates from Georgia came in. The moderates had control, but had to move forward, adopt a plan of confederation, establish a post office system with Franklin as postmaster, create a system of dealing with Indians, appoint treasurers, direct military affairs, set up an army hospital, all of these acts implying independence and rebellion. Massachusetts men were left out of committees. Dangerous sickness invaded Adams's family, an epidemic attacking Braintree and vicinity. His brother died in the army. His wife was exhausted with anxiety and watching. But he felt that his position was that of an officer in an army in front of the foe: he must not go home.

Mr. Adams's policy suddenly came uppermost. Rhode Island on Oct. 3d asked Congress to create a fleet. The proposition was ridiculed, especially by southern delegates. But in a few days news was brought that two vessels were on the way from London to Canada with arms and powder.

A committee of three New Englanders was appointed, including Adams, to report on the emergency. They advised that Massachusetts be asked to put two of her armed vessels under Washington's command, and that he dispatch them to intercept those from London and any other transports carrying military stores; and that Connecticut and Rhode Island be asked to help. A report to this effect was adopted Oct. 13th, in spite of much eloquence.

By Oct. 30th, another committee on naval affairs was created, Mr. Adams being one, and a fleet of four ves-

sels was ordered. Nov. 17th, a corps of marines was ordered. Nov. 25th, the beginning of a naval code was reported by Mr. Adams and adopted. Dec. 13th, the building of thirteen frigates was ordered; and Dec. 22d, Esek Hopkins of Rhode Island was made commander of a fleet of five vessels. So, largely through the push and energy of John Adams, a navy was begun.

One important event helped him: about the first day of November, a ship had brought the news of the failure of Dickinson's last "Olive-Branch" petition. Thenceforth the moderates were rebels as much as the Adamses, the Lees, Washington, Henry and Hancock. They must carry on the war or surrender without terms. This changed the aspect of affairs very much.

For John Dickinson we may find some palliation, if not excuse. He loved his country, but acted like a coward. The proprietary government of Pennsylvania had somewhat protected the people from collision with royal authority.

Pennsylvania had no charter to lose, no rights dependent upon a royal grant and promise to its inhabitants under seal. Then, too, it was originally a Quaker colony; and no man could grow up in it without being affected by its peace-loving doctrines and ways. But worst of all were the influences of his family.

While Adams was supported in his course by his relatives and his brave wife, Dickinson's family was a drag upon him. Mr. Adams says: "That gentleman's mother and wife were continually distressing him with their remonstrances. His mother said to him, 'Johnny, you

will be hanged; your estate will be forfeited and confiscated; you will leave your excellent wife a widow, and your children orphans, beggars and infamous.' From my soul I pitied Mr. Dickinson. I made his case my own. If my mother and my wife had expressed such sentiments to me, I was certain that if they did not unman me and make me an apostate, they would make me the most miserable man alive." (Works, *Vol. II, p. 408.*) On a previous page he had written, "Mr. Dickinson is very modest, delicate and timid."

The influence of the Quakers and of the Quaker state in which they had predominance politically, was thrown then against the revolution, because it was leading to war; and because Massachusetts, the colony in which they had suffered most for their religion, was leading in it. A leading man among them, Israel Pemberton, in a conference with Adams and others, objected to a union of the colonies because of laws on religion in Massachusetts and other parts of New England.

Nor should we forget, in trying to account for the indifference and backwardness of New York, New Jersey, Pennsylvania and Delaware, that there was a larger share of un-English elements in their population than elsewhere. The first settlers of all these except Pennsylvania were Dutch and Swedes, foreigners to English law and ideas.

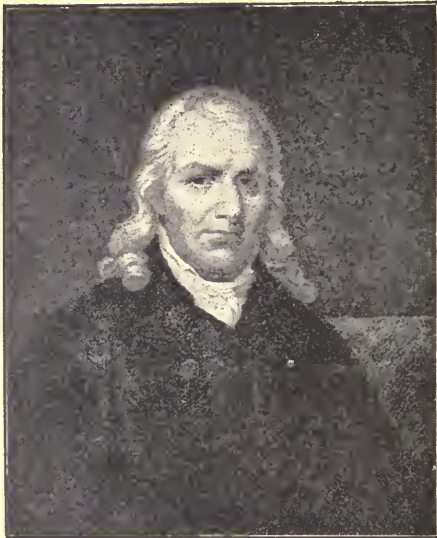
The revolutionary party were demanding their rights as Englishmen, referring back to Magna Charta, the Petition of Right, and the Bill of Rights, as well as to charters granted by English kings. These were not

household words to a generation whose grandfathers or great-grandfathers were conquered by England, or who came like the numerous Pennsylvania Germans from Germany itself. Many did join the Revolution earnestly, as did the French infusion of Huguenots in South Carolina; but the masses were different from New Englanders and Virginians.

Adams now writes: "Our counsels have been hitherto too fluctuating; one day, measures for carrying on the war were adopted; the next, nothing must be done that would widen 'the unhappy breach between Great Britain and the colonies.' As these different ideas have prevailed, our conduct has been directed accordingly. . . . . Thank God, the happy day which I have long wished for is at length arrived: the southern colonies no longer entertain jealousies of the northern; they no longer look back to Great Britain; they are convinced that they have been pursuing a phantom, and that their only safety is a vigorous determined defense. One of the gentlemen who had been most sanguine for pacific measures and very jealous of the New England colonies, addressing me in the style of Brother Rebel, told me he was now ready to join us heartily. 'We have got,' says he, 'a sufficient answer to our petition. I want nothing more, but am ready to declare ourselves independent, send ambassadors,' etc., and much more. . . . . . Our resolutions will henceforth be spirited, clear and decisive."

Truly the ignorance and self-conceit of King George and his ministers did more for independence than the eloquence of Patrick Henry and the arguments of Ad-

ams. They could not move Pennsylvania; he did. But Adams was not trusted by all; when he went home in December, Lynch of South Carolina wrote to Washington, "Whether his intents be wicked or not, I doubt much. *He should be watched.*"


Samuel Chase.

Probably before the news of the failure of the Olive Branch in September or October, Mr. Adams endeavored to have an embassy sent to France, with powers to represent the combined colonies. Mr. Chase of Maryland made the motion, as they had agreed; and Adams seconded it, and spoke on the motion and proposed substitutes, keeping his temper well under, and winning even from his steadfast opponents, Dickinson and Duane, credit for greatest knowledge of the subject and for eloquence. His lawyer-like mode of reasoning rarely rose to eloquence; but sometimes his deep earnestness brought into his speech his ready stores

of learning and a fiery rhetoric that was not common. Indeed he was more likely to offend by his impolitic way of blurting out his real opinions too bluntly to please, with severe criticisms upon others. In this discussion he gave his views of a proper policy for America: she should make no alliances, make commercial treaties only, and avoid connection with European politics and wars. The proposition failed then; but seeds of thought and of later action were sown.

In December Adams took leave of absence and went home. As member of the provincial council he was at once very busy, and prepared a proclamation to the people of his own state which has many of the ideas of the Declaration of Independence, and may give us a notion of what that would have been had he written it.

The council appointed him Chief Justice of Massachusetts. He accepted the appointment, which it would have pleased him to fill: but he never entered upon its duties, because they also re-appointed him delegate to the Continental Congress for the year 1776, and gave him Elbridge Gerry as colleague in place of Cushing, resigned. They left home Jan. 24th, 1776; Gerry presented his credentials Feb. 9th, and the instructions given by Massachusetts, which were:—

"*Resolved*, that they [the five delegates], or any one or more of them, are hereby fully empowered with the delegates from the other American colonies to concert, direct and order such further measures as shall to them appear best calculated for the establishment of right and liberty to the American colonies upon a basis permanent

and secure against the power and art of the British Administration, and guarded against any future encroachments of their enemies; with power to adjourn to such times and places as shall appear most conducive to the public safety and advantage."

Mr. Adams returned to find the Congress in a period of discouragement: "There is a deep anxiety, a kind of thoughtful melancholy, and in some a lowness of spirits approaching to despondency, prevailing through the southern colonies at present."

Why not? They had hoped and hoped for reconciliation with the King: now they saw before them the continuance of a war with the greatest power in the world. But Adams had learned that public opinion is apt to move in waves of discouragement and exultant expectation.

He prophesied, "In this, or a similar condition, we shall remain, I think, until late in the spring, when some critical event will take place, perhaps sooner. But the Arbiter of events, the Sovereign of the world, only knows which way the torrent will be turned. Judging by experience, by probabilities and by all appearances, I conclude it will roll on to dominion and glory, though the circumstances and consequences may be bloody. In such great changes and commotions, individuals are but atoms. It is scarcely worth while to consider what the consequences will be to us. What will be the effects upon present and future millions, and millions of millions, is a question very interesting to benevolence, natural and christian. God grant they may, and I firmly believe

they will be happy." Events went on toward independence. The British were beaten at Charleston and evacuated Boston. Paine wrote "Common Sense," a pamphlet of great influence, so much in the line of Adams's talk that some thought it his.

Congress authorized privateering, March 23d, and opened American ports to all nations, April 6th. Adams was sarcastic upon those who would not see the nature of these acts and said we had had half a war, now advanced to three-quarters of a war.

Henry Lee, Governor of Virginia. Known as "Light Horse Harry." Born 1756. Died 1818.

"This is not independency, you know. Nothing like it. If a post or two more should bring you unlimited trade of all nations and a polite invitation to all nations to trade with you, take care that you do not call it or think it independency. No such matter. Independency is a hobgoblin of such frightful mien that it would throw a delicate person into fits to look it in the face."

Among the difficulties of the situation were the rather aristocratic colonial governments in the middle and southern colonies, some of which were still proprietary. Movements were made here and there for more democratic forms; there was little reason for change if all were to yield to the mother country by submission.

In Virginia the Lees, Patrick Henry, George Wythe and other advocates of Independence determined to popularize the local government. No other in America had studied the science of government and the various forms for reaching political ends so much and so thoroughly as John Adams had done: and the practical tendency of his mind made his advice valuable. Jefferson and Samuel Adams were theoretical, and full of that false republican fear of reposing real governing power any where, lest it should be abused: a jealous fear which leads, if it works to its natural results, to an anarchy that invites despotism.

It has been the good fortune of America to be neither Hamiltonian nor Jeffersonian. When Jefferson said that the tree of liberty needs frequently to be watered with blood, and that rebellion is a good thing and necessary in the political world, he showed that he lacked the constructive power to conceive a government which should be at once firm enough for civil order and elastic and changable enough for liberty.

Hamilton's schemes missed the same good qualities in an opposite way. Practical people have found ways between the two; and John Adams, misunderstood and called an aristocrat, was of this practical sort. Both Jefferson and Adams were aristocrats to this degree, that they believed the wisest and best should be chosen to lead, to plan, to judge, to execute.

Richard Henry Lee talked often with Adams on the principles and details of government, and asked him to give him a definite plan for use. Adams gave him a

short letter containing the main features of such a system as he approved. Lee showed the letter: copies were taken and circulated. Others applied to Mr. Adams; whereupon he wrote a pamphlet, "Thoughts on Government applicable to the Present State of the American Colonies. In a letter from a Gentleman to his Friend." This, having the form of a letter to Wythe, is in "The Works of John Adams." The circulation of it in Virginia elicited a reply from the aristocratic party. Both were before the convention which adopted the constitution of June, 1776. The aristocratic party failed.

North Carolina asked his advice, which was given in like manner. Her constitution of 1776 remained unchanged till 1836. His influence appeared in the New York constitution. His plans would have made all the states independent of each other, to be united in a confederation limited to a few objects: he had not studied upon a plan of union very much. The influence of these examples ran through all the states that formed new constitutions.

Pennsylvania, Maryland, New Jersey and New York had especially instructed their representatives to oppose all propositions for independence. Even New Hampshire was an obstacle. A new plan was devised.

Samuel Chase went home to Maryland and organized a series of local meetings, a fire in the rear upon the conservatives, which brought that State over. Cæsar Rodney did the same in Delaware. Jonathan Dickinson Sergeant resigned and returned to New Jersey where the Assembly was in session: he secured the election of

new delegates who would arrive July 1st, and would, as he said, "vote plump."

As early as April 12th North Carolina had authorized her delegates to vote for independence and foreign relations. The Virginia Convention, at work upon her new constitution, on May 15th, instructed her delegates to *propose* independence. But still Pennsylvania was a perfect Gibraltar of opposition. It would not be good politics to win a bare majority or even a majority of eight to five with such a great opposition in the heart of the land. Pennsylvania must be the keystone of the arch of union. Public opinion there was in favor of independence: but the proprietary government of the Penn family sent the delegation in which Dickinson, Robert Morris, Willing, Humphrey and Morton outvoted Franklin and Wilson: Wilson had changed from negative to affirmative vote.

A movement in another direction outflanked the Penn government. June 7th, Friday, Richard Henry Lee presented resolutions to declare independence. John Adams, as arranged, seconded them. The debate of that day, Saturday and Monday, showed that there were votes of four New England States, Virginia and North Carolina and one other Southern State in the affirmative. That would not do. The question was adjourned to July 1st. The next day, Jefferson, John Adams, Franklin, Sherman and R. R. Livingston were appointed a committee on the resolution. On the 12th Samuel Adams was made one of a committee on Confederation, and John Adams one of a committee on treaties to be pro-

posed with foreign powers, where he was securely ballasted with Dickinson, Morris and Harrison of Virginia: and at the same time a Board of War and Ordnance was made of John Adams, Sherman, Harrison, Wilson and Edward Rutledge.

Robert R. Livingston.
Born 1741. Died 1813.

Important was a previous committee, May 25th, to confer with Washington on military affairs and plans, on which was John Adams. From their action grew the "committee on spies," John Adams, Jefferson, Rutledge, Wilson and Livingston. Their resolutions, adopted June 17th, declared every person in any colony, whether resident or transient, to be subject to its laws: then the second resolution assumed independence and sovereignty most fully:

"*Resolved*, That all persons, members of or owing allegiance to any of the United Colonies, as before described, who shall levy war against any of the said colonies within the same, *or be adherent to the King of*

Great Britain or other enemies of the said colonies or any of them, within the same, giving to him or them aid and comfort, are guilty of Treason against such colony."

The next resolution advised each colony to punish such treason, which might be mere loyalty to King George. Surely France was no more independent than the power that defined and denounced loyalty as treason.

Mr. Adams was getting worn down with committee work, debates and planning.

The movement that destroyed the proprietary power in Pennsylvania began with Adams on the sixth of May. The resolution as finally adopted, May 10th, stood thus:

"*Resolved*, That it be recommended to the respective assemblies and conventions of the United Colonies, where no government sufficient to the exigencies of their affairs hath been hitherto established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular and America in general."

Adams, Lee and Rutledge were made a committee to prepare a preamble to this. The preamble, adopted May 15th, declared:

"It appears utterly unreconcilable to reason and good conscience for the people of these colonies now to take the oaths and affirmations necessary for the support of any government under the crown of Great Britain; and it is necessary that the exercise of every kind of authority under the said crown should be totally suppressed; and *all the powers of government* [should be] *exerted un-*

der the authority of the people of the colonies," etc., etc.

The proprietary government of Pennsylvania was certainly not "exerted under the authority of the people;" and when the preamble and resolution appeared in the newspapers of the 16th, the whigs of Philadelphia began to consult what should be done in consequence of the dissolution of their government. The pressure of public opinion and the movement for a convention allowed the committee of conference to express a strong opinion against the assembly's hindering resolutions of instruction; and the vote of Pennsylvania was substantially gained.

Mr. Adams wrote respecting the preamble and resolution, "Yesterday the Gordian knot was cut." He regretted that it had not been done a year sooner. He was probably wrong in that. He was ready; but the people and the political leaders needed education which the year gave them. The long debate attracted attention, stirred the consciences and raised the aspirations of the people, and made mankind ready for the verdict that justice and reason pronounced on the great contention. The saints may cry, "How long, O Lord!" but God does not hurry.

Adams, after hearing a sermon on the 17th that compared George III to the Pharaoh of the Exodus, wrote to his wife that in considering the events just passed and his little share in the great things, and in looking at the probable future, he felt an indescribable awe.

The vote was still to be taken, though the result was foreseen. It was agreed that it should appear unani-

mous. Dickinson and Morris were ready to absent themselves, to let the vote of their State appear affirmative. But the delegates from New Jersey, new men, wished to hear the grounds of the important action rehearsed.

Lee's resolution was called up on the appointed day. There is no record of a line of the debate. It is known that two men spoke. Dickinson, loving his country without reserve, constitutionally cautious, even timid, unwilling to burden himself with so great responsibility, yet hating the tyranny of king and parliament as bitterly as the Adamses or the Lees, in a final speech cleared himself of accountability for evil results which must come in the winning of the good that was desired.

The debating talent was on the negative side. Dickinson, Wilson his colleague, who voted however with Franklin at last, R. R. Livingston of New York, who had ceased to oppose, and Edward Rutledge of South Carolina, could finely set forth that side. Perhaps no one of them spoke. On the other side, Dr. Witherspoon presented his arguments clearly, but heavily. Lee had been called home. Wythe and others could speak sensibly, but not with force of manner. Jefferson, mighty with the pen, was no speaker.

It was the great occasion for John Adams. He is rarely enrolled among great orators. His writings rarely suggest eloquence. But eloquence is often matter of occasion. The effect produced upon the hearers is the supreme test.

"Chatham, Patrick Henry, Mirabeau and John Adams will be handed down as great orators mainly by the con-

curring testimony of those who witnessed the effects they produced," says C. F. Adams.

Adams was elated by the consciousness of victory within his grasp, filled with the facts and reasons of his cause, mighty in the resources of his classical, philosophical and legal education and reading, and fired with the enthusiasm of his grand cause.

Dickinson's speech must have provoked him by its repetition of old oft-answered assumptions and reasons, by its lugubrious vaticinations, and by its timid and hopeless lamentations. Jefferson afterward spoke of "the deep conceptions and nervous style, which gave Adams a power of thought and expression which moved the members from their seats;" and he styles him the "Colossus of Independence." Richard Stockton varied the figure: he was "the Atlas of Independence." Other Virginians, accustomed to the florid and impulsive oratory of the South, filled "every mouth in the Ancient Dominion with praises due to the comprehensiveness of his views, the force of his arguments, and the boldness of his patriotism."

Home of Patrick Henry in Virginia.

It is strange that he impressed others, but not himself. He wrote to Chase that evening speaking of the debate as an idle waste of time: nothing said that had not been said six months before. Like a genuine Yankee, he

looked only at the intellectual and practical side, and thought naught of the tongue of fire which sat upon him and loosed his speech while others wondered.

One of the greatest of American orators wrote fifty years later such speech as he thought Adams would have made. At the close of this biography the reader will find Webster's version of it, probably less vehement than the original.

The day after the debate, July 2d, the formal vote was taken on Lee's resolution: it is brief, but enough: it broke the chain.

"*Resolved*, That these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown; and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

The more formal document which we know as the Declaration was already reported to the Congress, Friday, June 28th. The preparation had been referred to a committee, Jefferson, John Adams, Franklin, Sherman and R. R. Livingston. The writing was left by the rest to Adams or Jefferson: in a little contest of courtesy each referred it to the other. Jefferson wrote it; Adams and Franklin suggested slight amendments, so slight that Adams did not remember that he had offered any.

It was debated after Lee's resolution passed, Adams defending it against criticism and alteration, Jefferson sitting in silence. It was amended, adopted and announced Thursday, July fourth. The signing of the en-

grossed copy took place later, several signing it who were not even delegates when it was adopted.

Adams wrote to his wife, July 3d, "Yesterday the greatest question was decided which ever was debated in America; and a greater, perhaps, never was nor will be decided among men. A resolution was passed without one dissenting colony, that these United Colonies are, and of right ought to be free and independent states; and and as such they have, and of right ought to have full power to make war, conclude peace, establish commerce and to do all other acts and things which other States may rightfully do. [The reader will see that he quotes partly and by memory from the later document.] You will see in a few days a declaration setting forth the causes which have impelled us to this mighty revolution, and the reasons which will justify it in the sight cf God and man. A plan of confederation will be taken up in a few days.

"When I look back to the year 1761 and recollect the argument concerning Writs of Assistance in the superior court, which I have hitherto considered as the commencement of the controversy between Great Britain and America, and run through the whole period from that time to this, and recollect the series of political events, the chain of causes and effects, I am surprised at the suddenness as well as greatness of this revolution. Britain has been filled with folly, and America with wisdom. At least, this is my judgment. Time must determine. It is the will of Heaven that the two countries should be sundered forever. It may be the will of Heaven that

America shall suffer calamities still more wasting, and distresses yet more dreadful. . . . . . But I must submit all my hopes and fears to an overruling Providence, in which, unfashionable as the faith may be, I firmly believe.

"Had a declaration of independency been made seven months ago, it would have been attended with many great and glorious effects. We might before this hour have formed alliances with foreign states. We should have mastered Quebec and been in possession of Canada. . . . . But on the other hand, the delay of this declaration to this time has many great advantages attending it. The hopes of reconciliation which were fondly entertained by multitudes of honest and well-meaning, though weak and mistaken people, have been gradually, and at last totally extinguished.

"Time has been given for the whole people maturely to consider the great question of independence, and to ripen their judgments, dissipate their fears, and allure their hopes, by discussing it in newspapers and pamphlets, by debating it in assemblies, conventions, committees of safety and inspection, in town and county meetings, as well as in private conversations, so that the whole people in every colony of the thirteen, have now adopted it as their own act. This will cement the Union, and avoid those heats and perhaps convulsions which might have been occasioned by such a declaration six months ago.

"But the day is past. The second day of July, 1776, will be the most memorable epocha in the history of

of America. I am apt to believe that it will be celebrated by succeeding generations as the great anniversary festival. It ought to be commemorated as the day of deliverance, by solemn acts of devotion to God Almighty.

"It ought to be solemnized with pomp and parade, with shows, games, sports, guns, bells, bonfires and illuminations, from one end of this continent to the other, from this time forward, forevermore.

"You will think me transported with enthusiasm; but I am not. I am well aware of the toil and blood and treasure that it will cost us to maintain this declaration and support and defend these States. Yet through all the gloom I can see the rays of ravishing light and glory. I can see that the end is more than worth all the means, and that posterity will triumph in that day's transaction, even although we should rue it, which I trust in God we shall not."

But the Fourth of July superseded the second; and the jubilant patriot could not anticipate the present desecration of the anniversary, which makes it in every city a day of apprehension, of fires and accidents, of senseless noise, and the racket and sputter of the fire-cracker of the half-civilized "Heathen Chinee!"

Adams knew well that independence was declared, but was yet to be won. He was neither fanatic nor enthusiast. His stubborn force was paired with knowledge of means to be used and of ends to be gained. He was more earnest and pressing than any other man, and had reached his aim by policy as well as by statesmanship. Seeing when he entered Congress that that body

could not be hastened, he worked generally through others, favoring even the remotest step in the path to independence.

Many measures adopted months before logically implied independence; but he dared not even say that aloud. Mr. Morse in his "Life of John Adams" often accuses Adams of a lack of restraint of his tongue. One who said so much must often have said too much; but he must have undergone agonies of self-restraint. His severe remarks about others were generally in his private letters. Had he blurted out all he thought, he might have incurred the sarcastic reproach which Lowell flung upon "Philip Vandal;" that is Wendell Phillips; "he loves his fellow men so well that he has not a word softer than a brickbat for a single mother's son of them."

At this time Adams wrote to his friend and helper, Samuel Chase of Maryland:—

"If you imagine that I expect this Declaration will ward off calamities from this country, you are much mistaken. A bloody conflict we are destined to endure. This has been my opinion from the beginning. . . . . . Every political event since the 19th of April, 1775, has confirmed me in this opinion. If you imagine that I flatter myself with happiness and halcyon days after a separation from Great Britain, you are mistaken again. I do not expect that our new government will be so quiet as I wish, nor that happy harmony, confidence and affection [will exist] between the colonies, that every good American ought to study and pray for, for a long

time. But freedom is a counterbalance for poverty, discord, and war, and more. It is your hard lot and mine to be called into life at such a time. Yet even these times have their pleasures."

Mr. Adams's supreme effort in the second Continental Congress was over, successfully completed. He had spoken of it as the very end and purpose of his existence; and said he would be willing, that done, to say with old Simeon, "*Nunc dimittis.*" But he was too valuable a member to be let go easily; and while there was real hard work to be done, he was willing to remain, health and strength permitting.

The sessions of the second Continental Congress begun May 10, 1776, and continued till it adjourned Dec. 12, 1777, a period of 582 days. Mr. Adams remained in it till a month before its adjournment. He proposed that Massachusetts should enlarge her delegation, so that the Congress should have sufficient attendance while the delegates could be relieved by periods of vacation. His work may be inferred from his being on ninety committees by the record, and on others not recorded. He was chairman of at least twenty-five.

On one of these he served very unwillingly. Gen. Sullivan, taken prisoner on Long Island, came on parole with a verbal message from Admiral Lord Richard Howe, who wished to see some leading members of the Congress. Adams wanted to pay no attention to the message, being sure it could do no good to see him; but Franklin, John Adams and Edward Rutledge were sent as a committee. They met Lord Howe on Staten Island

Sept. 11th. He received them very courteously, but had no terms to offer except pardon after absolute submission. They reported, Sept. 17th, the impossible terms. They had ceased to be rebels, and were citizens of the free United States. Like most of England's moves, the concessions came too late and were too small.

As the business so far as it was national was conducted entirely by a congress of delegates, there was no executive or judiciary except the Congress itself and the committees it created. There was no War Department, no Secretary of War; there was only a committee called sometimes the Board of War. We read of Washington's troubles as commander-in-chief: the Board had all his troubles except the tactical and strategical ones. There were constant and annoying jealousies between North, Middle and South. These were individual jealousies about precedence, appointments, advancements. All these things came into the Board of War. Great mistakes were made, as in the treatment of Schuyler, Arnold, Gates and Lee.

Nor could this body understand and appreciate the great military as well as personal qualities of Washington. It has taken nearly a century to show that his name must be ranked, not indeed with the most brilliant, as Alexander, Cæsar, Hannibal, Napoleon; but in the next class among the very best. He is called the Fabius of America: and Americans do not like Fabianism. They cry, "On to Richmond!" "On to Havana !" How unfortunate it is that in our country our greatest strategists, naval and military, are only editors and corres-

Gen. George Washington.
(From Portrait of C. W. Peale.)

pondents of newspapers! One of this sort lately wrote that Washington never won a battle, meaning, doubtless, a pitched battle. How great must be the genius of a general that can win a war of eight years without winning a pitched battle! But Washington was not a mere Fabius, winning only by delay. With his small, ill-armed, ill-provided army, he could strike quick and heavy blows, so that all the English generals feared him. But in his own day few saw how great he was.

Mr. Morse, in his "Life of Adams," thinks an excessive vanity on the part of Adams kept him from appreciating Washington. He calls his relative estimate of Washington "his unconquerable blunder, originating in 1776-77, before he left Congress, and acquiring much greater proportions afterward." But how great had Washington shown himself to be by December, 1777? To most people, his failures at Long Island, Germantown and Brandywine, and the loss of Philadelphia would have seemed to balance the success at Boston, and the brilliant moves at Trenton and Princeton. Surely Adams may be excused and not charged with an "unconquerable blunder."

Mr. Adams indignantly repelled the charge that he had been hostile to Washington, a charge which he ascribed to "that insolent blasphemer of things sacred, and transcendent libeler of all that is good, Tom Paine." He says that after his appointment as ambassador, Gen. Knox called upon him to learn how he felt toward Washington. "I answered . . . . . that I thought him . . . . . the most important character of that time among us, for

he was the center of our union. . . . . I should do my utmost to support his character at all times and in all places." The Gates faction was no doubt glad to claim Adams; and Lafayette got that impression.

While Adams was on the Board of War, Oct 1st, 1776, he moved for a committee on the establishment of a military academy, and was one of the committee. From this suggestion came our West Point Military Academy. When Massachusetts officers complained of neglect and of the overlooking of their merits, he showed them how impolitic they had been in various ways. He reminded them of the panic of New England regiments at Brooklyn. He said there were political reasons for appointment of more southern than northern generals. He lamented the jealousy toward New England which had affected the policy of the United States.

"Without it Mr. Washington would never have commanded our armies; nor Mr. Jefferson have been the author of the Declaration of Independence; nor Mr. Richard Henry Lee, the mover of it; nor Mr. Chase, the mover of foreign connections; . . . . . . nor had Mr. Johnson ever been the nominator of Washington for General." This he wrote in 1822; but he had felt it in 1776. He really had been obliged to stand back and get others to move his measures.

Mr. Adams took a vacation to rest from over-work, Oct. 13th, 1776: he left home to go to the Congress at Baltimore, Jan. 9th, 1777. His route shows the difficulty of travel. He went on horseback through Connecticut to Fishkill, N. Y.; thence up to Poughkeepsie,

and crossed the Hudson on the ice; thence he rode to New Windsor, near Newburgh, and through Sussex county, N. J., a stronghold of the New Jersey tories, who treated him respectfully, to Easton, Pa.; thence through Eastern Pennsylvania to Baltimore. The weath-

Congress House, Baltimore.
(From an old Print.) Congress met here Dec. 12, 1776.

er was sometimes bitterly cold, sometimes warm, rainy or snowy; "roads abominably hard and rough."

Nov. 11th, 1777, Mr. Adams left the Congress permanently, returned home and resumed the practice of his profession.

The United States had three "commissioners" or agents in France, Franklin, Arthur Lee and Silas Deane. Deane had mismanaged his share of the business so much that on motion of Gerry, John Adams was appointed to supersede him, about Dec. 1st, 1777. The position was

undesirable. Lovell, R. H. Lee (brother of Arthur,) Roberdeau, Gerry, and Laurens, then president of Congress, wrote letters urging him to accept the appointment, evidently fearing he might refuse. He accepted it promptly. There was danger of capture on the way, a stay in the Tower of London, and the fate of a condemned rebel.

Congress sent one of its best vessels to carry him. Feb. 13th, 1778, he left his native town with his son, John Quincy Adams, not yet eleven years old, on the frigate Boston. On the 20th a British ship of war chased them; but the Yankee ship was the better sailer. A storm of three days with a stroke of lightning that shattered the mainmast was the next distress. A British privateer was captured, with a valuable cargo. Two vessels, apparently British war vessels, passed near them without recognition. March 29th a pilot boat brought news of hostilities between England and France: untrue, since no act of war took place until June; and the two nations went to war without any declaration. On the forty-eighth day of his voyage, April 1st, 1778, he went on shore at Bordeaux, whence he soon went to Paris, where he found Franklin, Deane, Arthur Lee, Ralph Izard and Dr. Edward Bancroft, all in some way agents of the United States.

Mr. Adams found all the Americans at Paris full of animosity and jealousy toward each other, and toward William Lee, who was appointed to Vienna and the Austrian court, but was staying in Germany. Izard should have been in Italy at the court of the Grand Duke of

Tuscany. Adams determined to have no share in their quarrels, and succeeding in avoiding them, attending strictly to business.

He found the embassy or agency had no records, no letter book, no accounts. He set himself to introduce business methods; to filing and copying letters; to rectifying accounts and introducing book-keeping. The American agents had obtained loans, made purchases, and distributed funds in this lax, slipshod way, for which a Yankee has his most contemptuous word, "shiftless!"

Mr. Adams wrote home to the Commercial Committee of the Congress. "Agents of various sorts are drawing bills upon us, and the commanders of vessels of war are drawing on us for expenses, and [for] supplies which we never ordered. . . . . . We find it so difficult to obtain accounts from agents of the expenditures of moneys and of the goods and merchandise shipped by them, that we can never know the true state of our finances."

Some of the agents must have been surprised after the easy-going ways of the commissioners to find their bills and drafts refused, because they had failed to render proper statements. His colleagues left it to Adams to write the letters, being indifferent or reluctant to adopt business methods. He was polite, but firm; and the men with whom he dealt knew that he asked no more than was proper, and came into the new ways which he succeeded in establishing. In fact, financial affairs were not much better managed on this side of the Atlantic.

Mr. Adams was obliged also to make the official visits required by his position, to make and receive calls of cere-

mony and courtesy, and in so doing to struggle with the difficulty of his ignorance of French. He was so busy at first that he would not take time for lessons from a tutor, but tried to learn from grammars and text-books. He admitted that in this he made a mistake; but he was wise enough to attend the theaters frequently, having copies of the plays with him, so that he could join the printed form of words to the spoken language, and have the best models of pronunciation for imitation. He found that Franklin fluently talked a Franklinian French, with little regard to the grammar.

The worst thing he found was that the Count de Vergennes liked Franklin and snubbed the Lees and Izard; and that the friends of Deane and the adventurers who could take advantage of him and of the favor of Vergennes and of Franklin's easy-going ways, were making money out of contracts. It was necessary to strike at the root of the mischief, and secure a re-organization of foreign affairs. He could not write an official letter to the Congress without bringing his colleagues to agree to his views: he therefore wrote a personal letter to Samuel Adams, who would be free to talk of the subject; the result was that all parties joined in amending the lack of system.

Mr. Adams advised (1) that there should be but one commissioner, ambassador or envoy at any court. Each of them was obliged to keep up a respectable establishment, give formal dinners, etc., at an expense of not less than three thousand pounds sterling: those then at Paris had expended from four to six thousand.

(2) That a definite and sufficient salary should be assigned to each minister. The custom was for each to live as he thought proper, and to draw for the amount.

(3) That the business of commercial agent should be separated from that of ambassador. The functions of the two should be made distinct and kept so.

(4) That all the ministers at Paris, except one, should be recalled or sent to other places.

Forthwith Mr. Franklin was made sole representative to France, Mr. Arthur Lee was sent to Madrid, and Mr. Adams was left without assigned position, and not ordered home. Col. Palfrey was made consular agent with large financial powers. Mr. Adams could not bear this inaction: he wrote to his wife, "I cannot eat pensions and sinecures: they would stick in my throat." He got passage after some delay on the French frigate "*Le Sensible*," June 17, 1778, and reached home Aug. 2d.

Mr. Adams's first mission amounted to nothing in that way of diplomacy: it might seem that it had put him at risk and the country to expense, all for nothing. But the reforms he had wrought in the modes of doing the public business were worth all the cost; and he had shown his ability, his honorable unselfishness, and his fitness for public service, now the greater by his partial acquisition of the French language.

He had furthermore learned enough of France and the schemes and spirit of the French government to be afraid of too close a connection with that power. He said, "It is a delicate and dangerous connection. . . . . . . There is danger that the people and their representatives may

have too much timidity in their conduct towards this power, and that your ministers here [in France] may have too much diffidence of themselves and too much complaisance for the court. There is danger that French councils and emissaries and correspondents may have too much influence in our deliberations. I hope this court may not interfere by attaching themselves to persons, parties or measures in America."

Mr. Adams expressed similar opinions to M. Marbois on the voyage home. He was destined to see all these anticipations of evil fullfilled before the end of the century.

Just one week after Mr. Adams reached his home, the town of Braintree elected him its representative in a convention to form a constitution for the state, as the arrangements made in 1774 had been considered provisional only. The practical character of his thinking made him a middle man between extremes. There was already developed in the state an ultra democracy, jealous of any executive, judiciary or legislature that it might itself create, desirous of retaining as much power as possible to the town-meeting, and of giving as little as possible to the state government. Samuel Adams was of this party, but with good sense enough to compromise and avoid extremes. Another party wanted the new constitution to represent strongly, "The rights of property." With neither of these could John Adams agree, while his plans might be a medium that both could accept. Though he soon left the convention, his speeches and his work on committees largely shaped the result.

The reader will find in C. F. Adams's life of his grandfather, an interesting analysis of the complicated relations of parties in the Continental Congress which had fallen into dispute over their foreign affairs, into which dispute the French minister put his influence. Negotiation with Great Britain was expected before long; New England wanted John Adams to have that task, because the free enjoyment of the fishing on the Newfoundland banks was important to her; and she could rely upon him to look after that interest. She distrusted Mr. Jay, who was made his rival.

In result Jay was made minister to Spain, whence Arthur Lee was withdrawn, while Adams was assigned to the expected negotiation with Great Britain, and sent to France to await the opportunity. Surely the two greatest assignments of responsibility to a single man during the Revolution were the appointment of Washington to command the armies, and the appointment of John Adams to match his patriotism, judgment and skill against the diplomatic strength and experience of our great adversary, and her wounded pride.

Mr. Adams left Boston for Europe on the French frigate "*Le Sensible*," the one on which he had returned home three and a half months before. He took with him his sons, John Quincy and Charles, Francis Dana as secretary of the mission, and John Thaxter as private secretary. The vessel was unseaworthy: the season was unfavorable: in danger of foundering, the ship put into the nearest port it could reach, Ferrol, at the northwest corner of Spain, Dec. 8th. The passengers had to make

PORTION OF

NORTH AMERICA

AS FRANCE WANTED TO DIVIDE IT IN 1782.

A. PERMANENT INDIAN LANDS TO BE UNDER THE PROTECTION OF THE UNITED STATES.

B. PERMANENT INDIAN LANDS TO BE UNDER THE PROTECTION OF SPAIN.

SPAIN CLAIMED WISCONSIN, ILLINOIS HALF OF INDIANA, AND THE "B" DISTRICT.

CANADA

UNITED STATES.

SPANISH POSSESSIONS.

SPANISH POSSESSIONS.

L. SUPERIOR.

LAKE MICHIGAN

L. HURON.

L. ONTARIO

L. ERIE.

MISSISSIPPI RIV

MISSISSIPPI RIVER

OHIO RIV

OHIO RIV

ST LAWRENCE RIV

CAHOKIA.

KASKASKIA

BOSTON

NEW YORK

WASHINGTON

a long and discomfortable journey overland, taking two months to reach Paris. While delayed in Spain, Mr. Adams began to learn Spanish, which language he much admired; but he found nothing else to admire in that backward land.

The motive of France in her interference in the war of the American Revolution was not any desire to favor liberty or republicanism, or to do any real kindness to the Americans. Individuals of the French nation had such motives. The French government wished to take vengeance upon her great adversary who had taken from her Canada and her vast American possessions, and had destroyed her power in India. Spain wanted to regain Gibraltar, taken from her in 1704, and Minorca.

These two powers were therefore ready to help the revolting colonies as soon as they saw that the rebels made a good fight, and were not likely to become reconciled with England. They were pleased to see both powers exhausted in the struggle. France had a slight hope of regaining Canada; and she wanted Spain to regain the Floridas, and to extend her power over all the land west of the Alleghenies. When she began to fear that the United Colonies might become too strong to remain under her thumb, she wanted Canada extended to the Ohio river, as an English possession. (See map, page 81.)

It should be constantly remembered that in all respects France was a false friend; her pretexts and promises were deceitful; and her motives were merely vengeance and aggrandizement. American youth think of Lafayette and Rochambeau, and of King George, Lord North,

Gage, Howe and Cornwallis, and thus think of France as our friend, and England as our enemy; yet, in fact, the English ministers secured to us the land of Mississippi, Alabama, Tennessee, Kentucky, Ohio, Indiana, Illinois, Michigan and Wisconsin, while France was scheming to take them from us. No nation has ever treated us so meanly as France has treated us, as a kingdom, a republic, and an empire; and yet from none have we had greater benefits, given from entirely selfish motives.

The Count De Vergennes, French minister of foreign affairs, was not sixty years old when our Revolution broke out. He had been trained from his youth in the diplomatic wiles, falsehoods, dishonesties and selfish wrongs which made the very substance of diplomacy in those days. Franklin records an instance of audacious lying, which involved Franklin himself. In 1776, in May, Vergennes arranged with King Louis XVI a grant to the colonists of a million livres, about $200,000, to encourage their rebellion to the point of independence. This was so given as to make it appear to be the private gift of Beaumarchais. In 1782 Vergennes told an English envoy, Thomas Grenville, in the most solemn manner, that France had never rendered any help to the colonists until they had broken away from Great Britain, and had declared independence. Turning toward Franklin, he added, "There sits Mr. Franklin, who knows the fact, and can contradict me if I do not speak the truth."

The influence of this perfidious schemer affected American diplomacy from its beginning. France was the first

power that sent a representative to the United States. Grateful for this act and for the assistance given, (though Vergennes meant the help should be only enough to keep them from failing, and falling under England again), Congress allowed itself to be much influenced by the French agent, Gerard, and tried to please him. Later, they gave even greater regard to the next French representative, Luzerne.

M. Gerard.

When Congress was making up instructions for Adams, they first said that in treating with England he must insist upon certain boundaries, fishing rights, navigation of the Mississippi, etc. This did not suit Vergennes: he might want peace made without such insistence; Gerard therefore *advised* that independence only should be insisted upon, these other points being strongly urged. Hence, two distinct commissions were given to Adams, for a treaty of independence, and for a treaty of commerce; and Mr. Adams was always to consult with Vergennes, and to be guided by his advice.

Mr. Morse, in his "Life of John Adams," keeps a pile of brickbats ready to throw at him, being apparently much more aware of the defects of the man, than of his good qualities. This pile consists of thirty or more injurious epithets and allegations. But at times, looking at the work he did, he falls to praising him vigorously. So

at this stage of the biography his admiration of results makes him say good things so heartily that we copy his estimate in part:

"Mr. Adams was a singular man to be selected for a difficult errand in diplomacy. . . . . He seemed to possess nearly every quality which a diplomatist ought not to have, and almost no quality which a diplomatist needed. . . . . He was of a restless, eager temperament, hot to urge forward whatever business he had in hand, chafing under any necessity for patience, disliking to bide his time, frank and outspoken in spite of his best efforts at self-control, and hopelessly incapable of prolonged concealment of his opinions, motives and purposes in action, his likings and dislikings towards persons. . . . . .

"Yet he was precisely the man for the place and the duty. With the shrewdness of his race, he had considerable insight into character: a strong element of suspicion led him not quite to assume, as he might have done, that all diplomatists were dishonest, but induced him to watch them with a wise doubt and keenness; he had devoted all the powers of a strong mind to the study of the situation, so that he was thoroughly master of all the various interests and probabilities which it was necessary for him to take into account.

"He was a patriot, ... so fearless and stubborn that he both made and persisted in the boldest demands on behalf of his country; he was high-spirited, too, and presented such a front that he seemed to represent one of the greatest powers in the civilized world . . . . . in spite of the well-known fact that he had only some revolted

and more than half exhausted colonies at his back. . . . . If it was true that quick-sighted statesmen easily saw what he wanted, it was also true that he impressed them with a sense that he would make a hard fight to get it; they could never expect to bully him, and not easily to circumvent him. . . . . . He was eloquent and forcible in discussion, making a deep impression by an air of earnest straightforwardness. All these proved valuable qualifications upon the peculiar mission on which he was now dispatched.

"Adams strode along stoutly in broad daylight, breaking the snares which were set for his feet, shouldering aside those who sought to crowd him from his path: unceremonious, making direct for his goal, with his eyes wide open, and his tongue not silent to speak the plain truth. . . . . . This trans-Atlantic negotiator excited surprise . . . . . among the ministers . . . . . of the European cabinets; but in the end he proved too much for them all: their peculiar skill was of no avail against his novel and original tactics. . . . . . So he carried his points with brilliant success."

Mr. Morse thinks, however, that if Adams had been employed in a career of diplomacy, he would have been far from successful. Bismarck has in our own generation carried on negotiations after the fashion of Adams; but he was backed by the Prussian and imperial power, and used indirect methods also. He often deceived by telling truth, because others did not think he would expose his real purposes.

Mr. Adams was commissioned to make treaties with

England, but could approach that power only through some other. His instructions were, of course, private. He was to take the advice of Vergennes, which he at once asked, whether to make known his errand to the public or to the English court. Vergennes said he could not advise until he should hear from Gérard, who "will certainly be able to make me better acquainted with the nature and extent of your commission."

The fact was that Vergennes wanted to use secret influences to induce Congress to cancel the commission to make a commercial treaty. Adams felt that he had too little to do: and observing that little was really known in France of America and its people, he wrote articles for a newspaper, and sent notes of information to Vergennes, who was pleased to receive them. He also wrote often to Congress.

At the close of July, 1780, Mr. Adams went to Amsterdam, mainly to try to get a loan there. He found that the Hollanders knew little of his country, nothing of its resources and prospects. He immediately made use of a few friends to the American cause who gained for him access to the press. He published translations of the reports and narratives of Howe and Burgoyne, as the best evidences of the strength of the colonies, and extracts from writings of the royalist Governor Pownal. He procured through a friend in Brussels, the publication in London of articles written by himself, which were translated into the "*Leyden Gazette.*" Of course he wrote articles for the Dutch papers himself.

Mr. Adams could get no loan. Just then Henry Laur-

ens was captured by a British vessel; and among his papers was found correspondence with a leading Hollander which excited the wrathfnl suspicion of England. For a while, no further move could be made; but Mr. Adams's expected stay of a few weeks was lengthened nearly to a year.

Receiving additional authority, Mr. Adams addressed a memorial to the States General of Holland in February or March of 1781, stating that he was authorized to sign on behalf of the United States the treaty of the Armed Neutrality, which was negotiated by Russia to curb the insolence of Great Britain toward neutrals. He sent similar notice to the Ministers of France, Russia, Sweden and Denmark who were at the Hague.

Just a year from his first application, April 19th, 1782, the States General officially recognized him as envoy of the United States: and as such he was formally presented to that body four days later. England had unwisely added Holland to the number of her enemies in arms by a declaration of war, Nov. 20, 1780. She had now not an active friend in Europe. Russia, Sweden and Denmark were against her in the Armed Neutrality; Holland, France and Spain at war with her; Prussia was unfriendly; and the Bourbon court of Naples and the Italian states under Spanish influence would do her no kindness. Portugal, Austria, German principalities and Turkey remain: they did nothing for her. But George III doggedly held on.

After Adams left the offended Vergennes and began his notable and successful diplomacy in Holland, Ver-

gennes did not relax his efforts to influence the Congress to recall the man he disliked. To the shame of the American Congress it must be recorded that while it refused to recall Adams, it did, under the influence of Vergennes through Luzerne, revoke the powers given him to make a commercial treaty with England as well as a treaty of peace. At the same time, July, 1781, Congress

Tower of London, where Laurens was confined.

created a commission of five to treat for a recognition of independence and for peace; and Adams was retained as one, joined with Franklin, Jefferson, (who did not go to Europe on this business at all), John Jay, then minister at Madrid, and Henry Laurens, then prisoner in the Tower of London. The five were from Massachusetts, New York, Pennsylvania, Virginia and South Carolina.

But this act of wisdom on the part of Congress was more than balanced by a piece of supreme folly. Once certain *ultimata* had been set for Adams to insist upon:

first, boundaries on the north, about what they are now: on the south, the line of Florida extended to the Mississippi: on the west, the Mississippi: and on the northeast, the boundary of Maine as it had been drawn long ago by Great Britain. Next, the envoy should insist on free navigation of the Mississippi; next, the right of fishing on the banks as allowed to the colonists; and last, of course, independence.

Now, at the bidding of Vergennes, all these were abandoned except the last. He was willing that America should ask for the other things; but he regarded them as points to be abandoned in the negotiations if France and Spain could gain thereby.

Still worse, the commissioners were instructed "to make the most candid and confidential communications upon all subjects to the ministers of our generous ally, the King of France; to undertake nothing in the negotiations for peace or truce without their knowledge or concurrence; and ultimately to govern themselves by their advice and opinion."

Adams and Jay both felt hurt when they received this humiliating instruction: Franklin gave no sign of dissatisfaction.

Jay felt equally hurt, being treated with indignity. At Madrid he had discovered that France was more an ally of Spain than of the United States, and that the interests of his own country in the West and on the Mississippi were to be sacrificed. He did not resign, but wrote home asking that some other should be sent to take his place. Till his successor should arrive, he remained as

one of the commission. If Jay and Adams could agree, they two must play the game, Laurens and Jefferson remaining absent.

Those engaged in the negotiations which ensued, beside the three Americans were, on the part of France, Vergennes, minister of foreign affairs; Luzerne and Marbois, minister and chargé in the United States; the Count de Montmorin, minister to Spain; Marquis d'Ossun, agent sent to Spain; and Reyneval, the confidential secretary of Vergennes, sent thrice as secret agent to England. On the part of Spain, Florida Blanca, prime minister, and Count d'Aranda, Spanish minister at Paris. On the part of England, Oswald, the chief agent; Fitzherbert and Strachey joined with Oswald; Hartley, plenipotentiary to finish and sign the treaty; Vaughan, an Englishman very friendly to America, used by both parties: Thomas Grenville, sent by Fox; and inferior agents, Forth, Digges, Robert and Whitehead. English cabinet officers in the same negotiation were the Marquis of Rockingham, Earl Shelburne, the Duke of Portland, and Charles James Fox. The treaties were mainly shaped under Shelburne.

The capture of Earl Cornwallis and his army, Oct. 19, 1781, convinced Lord North that he could not conquer the colonies, and he must resign; but King George begged him to hold on and keep up the war. Parliament turned against the minister, and he resigned March 20, 1782. He had previously sent Digges, unofficially, to sound Adams at Amsterdam, and had sent Mr. Forth to Vergennes to see whether the restoration of Canada would

tempt France to a separate peace. Other agents than those named above were used: men who could make a suggestion which was not a real offer, and which could be disavowed. Adams was wary, and would not talk with Digges except in the presence of a witness and with leave to report to Vergennes. King George was tricky, and would talk with Shelburne secretly, not permitting him to tell the other ministers; and probably he deceived Shelburne in the same way.

Shelburne and Fox, fellow ministers, quarreled as to which should conduct the negotiation. If they were treated as colonies, they belonged to Shelburne: if as a nation, they came into Fox's department of foreign affairs. Shelburne had the bad reputation of being unreliable, deceptive. Dr. Franklin wrote Shelburne a letter as a private person: thereupon, Shelburne sent Oswald without the knowledge of the English cabinet to inquire informally upon what terms America would make peace. Franklin told him he must consult Vergennes. Oswald expected America to make peace separately. Just so Fox sent Grenville to treat with France separately. This division of counsels broke up the English cabinet, after it had led Vergennes and Franklin to suspect double-dealing and deception. Fox went out.

Jay had been summoned by Franklin from Madrid, where he was gaining nothing, to join in the negotiation at Paris. He was an acute lawyer. He was not a representative of "Thirteen colonies or plantations in North America," but of a sovereign power that had asserted its independence and proved it by war. He was told that

the treaty would recognize the fact. That would not suit him: he must be addressed as a commissioner from the United States, an existing power, not a state to be created by a concession in a treaty.

Franklin cared not for the point: he was satisfied if the main point should be gained, no matter how. Vergennes sided with Shelburne, and let him know it. Jay wrote to Adams in Holland, who sustained his point. The two lawyers knew the importance of terms. Adams suggested that the recognition might be merely incidental and not formally direct: if Oswald were directed to treat with the commissioners from the United States of America, it would be satisfactory to him. Shelburne took advantage of the simple suggestion; the parties were then ready to treat.

Jay and Franklin stated their case: they asked the things which have been named on a preceding page as the original *ultimata* of the Congress: England refused, objected, haggled, so as to give as little as she could, and put forward her claims.

The Americans demanded that the Mississippi should be their western boundary, as it had been England's boundary by the peace of 1763. The northwestern region was claimed in virtue of the conquest made by Gen. George Rogers Clarke, when Vincennes and Kaskaskia were taken, and the English possession ousted. England had no posts south of Detroit and Mackinac. Florida was then English, by possession, but with no English settlements to speak of; and it might be ceded to Spain in this negotiation. But the United States claimed

as belonging to Georgia the shore of the great river as far south as what is now the southern line of the state of Mississippi.

Spain set up a counter-claim of nearly all west of the Alleghenies, and during this negotiation sent a military expedition from St. Louis across Illinois, and built a small fort at Niles, Mich., so as to claim actual occupation. Vergennes supported Spain, and said the American claims were too extensive and unjust. Jay had been growing more and more suspicious of the ally under whose thumb the commission was placed; and although as a New Yorker he had no appreciation of the value of the West and of the navigation of the river, the value evidently put upon these by the other party changed his views.

The eastern edge of Maine was in question, but was more easily proved: so England gave up the boundary by the Kennebec or the Penobscot, and accepted the St. Croix. Franklin had met the English claims by a suggestion that England ought to give us Canada and Nova Scotia.

The right to the fisheries was especially valuable to New England, whose citizens wanted the same enjoyment of them that they had had as colonists. The English wished to curtail or deny this claim. Again Vergennes took sides against the Americans, and pronounced their claim unjust.

Another point upon which the English were very strenuous was compensation for the loyalists or tories who had been expelled, or for fear of ill-treatment, had

thought it best to emigrate. There were thousands of these in Nova Scotia, New Brunswick and Canada. The property of many of them had been confiscated by action of the states because of their loyalty to the King. They certainly had claims upon Great Britain; and that power very naturally undertook to make reclamation upon the United States. Debts due to British merchants might be refused; and their claims were joined by England with those of the loyalists. Vergennes, in these matters took the English side.

Franklin and Jay were having their hands full with all this business, and were glad when Adams was ready to join them. On the seventh of October, 1782, he had signed a treaty of amity and commerce with the United Provinces, generally called Holland, and addressed as their High Mightinesses.

On the 26th of October, Adams arrived from Holland at Paris. Both the English agents and the French negotiators were afraid of him. His sharply incisive and decisive character was well known to Vergennes, and had been reported to the English. Oswald had been doing business with Jay and Franklin. When sending him with a letter of introduction to Dr. Franklin, Shelburne had spoken of him as "A pacifical man:" he had lately concluded that he was too pacifical, too easily yielding to the Americans. He therefore joined with Oswald about this time Mr. Henry Strachey, as a better exponent of English pertinacity. His function was to stiffen Oswald, and fight stoutly the American claims.

Adams and Jay both felt the meanness of the po-

ition assigned them by the orders of Congress. While they must reveal everything to Vergennes, they found that that minister was sending secret agents to England and concealing from them his action affecting their interests. He had assigned to them the hard task of settling the Mississippi question with the Spaniard, D'Aranda, evidently intending that they should yield to him.

Should they continue to obey instructions so detrimental? Should they dare disobey? To this Franklin said, "No." Yet Franklin had twice made secret overtures to Shelburne. In a meeting of the three, Adams and Jay told Franklin their determination to proceed without informing Vergennes. Franklin's reasons were personal rather than political, because of his long intimacy with the French court; and he soon agreed with his colleagues.

The treaty-making now went on rapidly with Oswald, Vaughan and Strachey, the last-named, furnishing acidity and bitterness enough for the whole British Embassy. The boundary questions were easily arranged. Massachusetts had furnished proof of the eastern boundary of her district of Maine. The British accepted the line of the middle of the great lakes and the Mississippi, with a secret article about the southern boundary, dependent upon the final disposition of Florida. For debts it was provided on suggestion of Adams that the American courts should be open for their recovery, none being cut off by the war.

The fisheries were a subject of a long contention, made

more difficult by the fact that France was negotiating on the same subject.

Really the hardest subject was indemnity to the refugees. When all seemed to have reached agreement, Mr. Strachey left for London with a copy of the articles, but left a note saying that unless indemnity were provided, no treaty would be had. Vaughan kindly followed to counteract the influence of Strachey. He presented the reasons of the American envoys: that they had no power to bind the individual states to any line of action; that the refugees could be shown to have prolonged the war and to have done much damage; that prolonging the war on their account would cost England more than to indemnify them herself, and would be a hopeless effort. The commissioners could promise that Congress should recommend to the States a liberal treatment of the loyalists.

Earl Shelburne saw that it was vain to continue the war; that Ireland was a source of danger; that the mood of the king was very uncertain; that his tenure of office was precarious. He must have the peace; policy and judgment both demanding it. He sent back Strachey, and Fitzherbert with him, to make peace. Mr. Laurens, freed from the Tower on parole, had joined the commission. Strachey returned Nov. 25th, in ill humor: but the four days' discussion on the fisheries ended in the adoption of Mr. Adams's article with slight changes; and on Saturday, Nov. 30th, 1782, exactly five weeks from the day when Adams returned to Paris, the preliminary treaty was signed, and peace was assured.

Doubtless Vergennes was observant and shrewd enough to know that the Americans were pushing their own treaty; nor did he object when they told him what was done. But some fifteen days later, when he met with some difficulty in his own negotiations, he suddenly suspected that the United States would join England against France. He accused the envoys of bad faith; they were bound to make no treaty except in union with France. They easily defended themselves, since they had stipulated that their treaty should not become valid until France and England had agreed: they merely had their part ready. He also complained to Congress about their secrecy, and failure to consult him. The commissioners were justly incensed when they received a rebuke from Robert R. Livingston, who was in charge of foreign affairs, who, instead of praising them for their skill and perseverance and good achievements, found fault with them for doing well, without French supervision. Livingston apologized to Vergennes, and told him of the secret article, which did not relate to France at all.

The commissioners were rightly angry, and prepared a sharp and long reply by Mr. Jay; but it was not sent. Adams wrote that the conduct of Congress was infamous. But he suppressed his wrath, and remained at his post, though very homesick. As soon as the definitive treaty was assured, he sent his resignation Dec. 4th, 1782, and joyfully wrote to his wife that he should soon be at home, in spring or early summer: he would come home even if his resignation were not accepted. But he found he must wait; and in September, 1783, the same three were ap-

pointed to make a commercial treaty with England.

But he was worn out, and broke down with a fever. Sir James Jay, physician and friend, cared for him, and sent him to England Oct. 24th. He had had the honor and pleasure of signing the final treaty of peace, Sept. 3d, and hoped to rest in England. He was in the Parliament when George III publicly confessed his defeat and the independence of the revolted colonies. The necessities of the public credit obliged him to make a voyage to Holland in the winter through hardships severe for a well man. He now sent for his wife and daughter, who came in the summer of 1784.

Mrs. Wm. S. Smith (Abigail Adams) daughter of John Adams.
From the Painting by Copley. By courtesy of
D Appleton & Co.

Congress next made Adams, Franklin and Jefferson a commission to make commercial treaties with any or all powers. Prussia was the first to accept the offer. Mr. Adams had taken a house near Paris. But Feb. 24, 1785, Congress appointed him the first minister of the United States to Great Britain. Vergennes congratulated him saying, "It is a mark." But it was also a great task. The Duke of Dorset, minister to France, said to him, "You will be stared at a great deal." "I fear they will gaze with evil eyes," replied Mr. Adams. The duke, with more courtesy than truthfulness, said they would not.

Mr. Adams was presented to the king in a private audience, June 1st, 1785, by the Marquis of Carmarthen. Naturally he felt some nervousness and embarrassment. The king had heard that Adams had lost confidence in the French court, and alluded to this slightly, but spoke of the common blood and the common language. Adams assented to the drift of the king's language, but ended his reply with the sentence, "I avow to your majesty that I have no attachment but to my own country." The king seemed pleased with this sturdy patriotism.

When Adams demanded the fulfillment of the treaty of 1783, and the evacuation of Mackinac, Detroit, and other posts, he was reminded that the states had not regarded the treaty, had hindered the collection of debts; and when he proposed a commercial treaty, he was told that the states made their own tariffs. A policy of repression of American trade was adopted.

Mr. Adams saw that he was doing no good, and sent

in his resignation, which was accepted Oct. 5th, 1787, and he left England April 20, 1788, thoroughly disgusted with England, France and diplomatic service.

Up to this time no man save Washington had rendered as much service to his country as Adams had given; no other had gained equal results; no one had excelled him in political knowledge and ability, foresight, patience, perseverance, endurance and daring in times of crisis. In recognition of such qualities and services, his countrymen in organizing under the new constitution placed him as alternate to Washington, Vice President of the United States.

The election to the Vice Presidency was not altogether pleasant to Mr. Adams, not because of any aspiration for the highest place, but because, while Washington was elected unanimously, Adams did not have a majority of the votes cast. As the constitution then stood, electors put two names on their ballots without specifying which person was meant for president: if two had the same number, the House of Representatives should choose between them. Seeing the possibility of such an ambiguous election, Hamilton suggested that some of the electors should throw their votes aside from Adams, whose election was expected.

Unfortunately, no concert being possible, thirty-five electors threw their votes away as compliments to ten persons, leaving only thirty-four for Adams, who said, writing to a friend, "I have seen the utmost delicacy used towards others, but my feelings have never been regarded."

It did seem hard, when he returned to his native country, for which he had done and suffered so much, to find that he was not appreciated as he thought he should be. From that time he and Hamilton were often in conflict.

When the constitution was proposed, two parties arose at once, those who favored the adoption of it, called Federalists, and those opposed to it, called Anti-Federalists, until they organized as Republicans or Democratic Republicans. Generally those who had opposed the constitution feared that the central government would encroach on the rights of the states or of the people: they took the name Republicans or Democratic Republicans, or were called Democrats.

Ten days before the inauguration of Washington, Mr. Adams was installed as Vice President, April 20, 1789, and began to preside over the Senate, at New York. That body was almost equally divided between Federalists and Republicans, so that the first Vice President had to give the casting vote no less than twenty times during the sessions of the first Congress and nine times during the second. No other presiding officer of that body has had such experience. He did not decide as a Federalist partisan, but always on what he deemed the merits of the question. Some very important questions were thus decided by him.

Mr. Adams rather despised an office which gave him so little to do, and in which he was obliged to listen to debates without sharing in them. He must often have seen that a little of his knowledge and of his logic would

clear a befogged matter. He wrote to his wife Dec. 19th, 1793, "My country has in its wisdom contrived for me the most insignificant office that ever the invention of man contrived or his imagination conceived. And as I can do neither good nor evil, I must be borne away by others and meet the common fate." But he undervalued his place. He had a long rest from labor and responsibility; and Washington often consulted him on public affairs as if he had been a member of the cabinet.

In 1792 Washington was again elected unanimously, and Adams had the full vote of the Federal party, seventy seven votes; George Clinton of New York had the votes of four states, and Jefferson of one; total, fifty-four.

With the most of the important events of Washington's administrations, Mr. Adams had no connection. Washington was of the Federalist policy, but took into his cabinet the two strongest available men, Alexander Hamilton and Thomas Jefferson, who soon became the heads of the two opposing parties. He was not able to hold them both as his secretaries; in fact, both resigned.

When it was settled that Washington would not accept the presidency a third time, Hamilton began scheming to push Adams aside.

Adams thoroughly disliked Hamilton, who returned the feeling as strongly. Adams's expressions in a letter to Knox were more extravagant than a cooler mood would have allowed. It is not fair to deduce "some of his traits" from such a passionate utterance, any more than it would be to judge Washington from what he said to Lee at Monmouth, or from his curses upon St. Clair.

Mr. Adams was elected by seventy-one electoral votes over Jefferson's sixty-eight. He had solitary votes from Pennsylvania, North Carolina, and even from Virginia, the rest of the votes of those states going to Jefferson. Had two of these been given to Jefferson, they would have elected him. The republicans sneered at Adams as the president of three votes. Jefferson became Vice President. When news of the election made it look as if the election might go into the House, he said he wished his old friend Adams to win.

Washington was tired of the office, and longed to be free. He had been sorely abused, "in terms," says Schouler, "scarcely applicable to a Nero, a defaulter, or a common pickpocket." An anti-Federal paper called him a fool. A paper in Philadelphia published by B. F. Bache, a grandson of Franklin, was very virulent in its attacks upon Washington both as President and as a man. He was charged with misusing the public funds for his own advantage. Forged letters got up by the tories in 1776, in which he was said to have expressed himself against independence and Congress, were republished as genuine. It was said that ten thousand people were threatening to drag him out of his house and make him resign or favor France.

Jefferson employed in his department a clerk, Freneau, who was editor of an abusive paper. "*The Aurora*" rejoiced that Washington's career was ended, saying that he had carried his designs against the public liberty so far as to have put in jeopardy its very existence."

Washington at a cabinet meeting broke down in a

transport of "indignation and grief at the personal abuse heaped upon him."

If the Republicans so abused Washington, whom we venerate, what would they not say against John Adams? Poor Adams, if not really more sensitive than Washington, seemed to be so, and could not conceal his irritation and wrath. That delighted his tormentors the more. It was an age of coarse vituperation, as well as of bitter political hatreds and groundless suspicions.

The folly of George III had made monarchy hateful. As the aristocracy of England had, with a few exceptions, supported the usurpations of the king, Aristocracy was the second bugbear, hiding in every bush. Blank equality was the rage. A society like the Grand Army of the Republic would have been an evident threat of a standing army and of the downfall of liberty. Legislation to prohibit it would have been enacted in every state.

The officers of the army that had won independence formed a society, the Cincinnati, with the right of membership hereditary. That was founding an order of nobility. Public opinion frowned upon the innocent association, and it almost withered away.

Seeing the quarrel between Hamilton, the actual leader of the Federalists, and Adams, the executive chief whom they had elected, the Republicans seemed to have thought that he might be detached from the Federal party.

The French Revolution exerted great influence upon American feeling and policy. At first, all parties were hopeful of a genuine reform in France, and a govern-

ment with at least a good measure of freedom. But when the rule of a mob replaced the autocracy of the king, and cold-blooded butcheries were perpetrated in the name of liberty, there was a great revulsion of feeling. France and England were soon at war. Washington proclaimed neutrality; but the French ambassador, Genet, acted as if this country belonged to him, and undertook to fit out war vessels in our ports. He gave Washington great trouble.

The Republicans sympathized more with the French, and were against England, which continued its haughty abuse of our country till after the fall of Napoleon. They called the Federalists a British party. The retort upon them was that they favored anarchy and barbarity. France claimed the benefit of the treaty of alliance of 1778; and when Washington proclaimed neutrality, she proclaimed blockades, and began to seize American ships. We really were for months at war with France.

Fortunately for us, *Ambassador* Adams had freed himself from all notion of obligation to that country that had helped the United Colonies only to gratify a grudge against an ancient enemy; and he had had such an unpleasant experience in England that he had no prepossession now for what had been "The mother-country." Hence, *President* Adams could keep the ship of state on the course of impartial neutrality.

President Adams committed one great mistake in policy. Washington had found difficulty in getting suitable persons to follow Jefferson, Hamilton and Knox, when they resigned from his cabinet. He had offered

the Secretaryship of State to Wm. Patterson, Thomas Johnson, C. C. Pinckney and Patrick Henry, all of whom declined it: he had then put Timothy Pickering, former Postmaster-General and then secretary of war, into the place: Carrington and Howard of Maryland refusing the portfolio of the war department, he gave that to Mc Henry, and advanced Oliver Wolcott to the Treasury. Pickering, Wolcott and Mc Henry were really only second or third rate men, worth little as advisers. Adams did not try to make a new cabinet, but continued these in office.

The worst of the matter was that instead of looking to their chief for direction, they looked for orders to Hamilton as the head of the party, and tried to bend Adams to Hamilton's purposes. They wrote Hamiltonian papers for him to sign, and proposed Hamiltonian nominations. The consequence was that after enduring much discourtesy and even insolence from them, in an explosion of indignation he dismissed Mc Henry and Pickering, who became bitter and treacherous enemies. But he never knew how much all three had betrayed him.

Seeing the probability of war, Adams did all he could to increase the army and especially the navy, but with only moderate success. It was one of the mistakes of the Republicans to scant these arms of defense.

President Adams determined to make a treaty with fractious France, and consulted with Jefferson, whom he would have sent as minister, had they not both agreed that such function was unsuitable for a Vice President. Madison would not go with Hamilton as colleague. Adams was evidently no narrow partisan. In the face of warm

opposition of his secretaries, Pickering and Wolcott, he sent Marshall and C. C. Pinckney, Federalists, and Gerry, Republican.

They were received, but were soon informed that to get a treaty they must furnish certain sums of money as bribes and loans. Talleyrand was their foreign minister for the Directory. Pinckney answered quickly, "not a cent, not a cent;" and after his return, at a dinner, gave the famous sentiment, "Millions for defense, not a cent for tribute." Gerry remained after the others left, because Talleyrand told him France would declare war if he left. Immediately, further wrongs were inflicted on our commerce.

The President reported the failure to Congress, and advised that preparations for war be pushed. Jefferson hated war as if he had been trained as a Quaker. His party in Congress opposed the preparations for war. The correspondence of the envoys was called for. They had obtained memoranda of the requirement of bribes and tribute in writing. The president put the letters X, Y and Z in place of the names of the agents, Hottinguer, Bellamy and Hautval, and sent the whole disgraceful story to Congress. A tempest of anger arose in all the land. War was demanded. Support was promised on all sides.

The president was overwhelmed with evidences of popularity. But he was as little shaken by this as by opposition. He was not ready for war, and would not recommend it. He recalled Gerry, and said he would not send another minister till he had assurance that he

would be received with honor. Washington was named to command the army with the new rank of Lieutenant-General, and, at his request, Adams nominated for generals next in rank, Hamilton, C. C. Pinckney and Knox, which led to a squabble for precedence.

In the midst of this flurry were passed the famous Alien and Sedition laws.

Home of John Adams, Quincy, Mass., where he passed the last years of his life.

If the Alien Act had been passed in Washington's time, he would have used it to get rid of Genet, no doubt. The worst of the act is that it gave the president an irresponsible power to act as judge and jury and executive if any alien seemed to him obnoxious, and to send such person out of the country. The reader will be reminded of Lincoln's action in May, 1863, when he sent Vallandigham, convicted of disloyal utterances, into the territory held by the Confederate States. Adams never used the Alien Law.

The Sedition law forbad the publication of any writ-

ing "false, scandalous and malicious," with intent to defame the government, Congress, or the president, or to bring them into contempt or disrepute. This was so worded that it might be used against reasonable political discussion. A few prosecutions occurred under it. Mr. Adams did not ask for or recommend these acts; but he is so far responsible for them as this; when they were enacted by his party, he did not veto them.

When Talleyrand indicated to the American minister at the Hague through the French minister there, that an American envoy would be honorably received, Adams overruled the opposition of his Hamiltonian secretaries, and in defiance of the Federal majority of the Senate named a peace commission to go to France that they dared not reject; Ellsworth, Murray and Patrick Henry. War was averted and peace made; but work on the navy continued.

The cabinet tried to delay the departure of the commission: his peremptory orders overruled them. This quarrel disrupted his party, and prevented a re-election for him: but he had acted nobly for his country. He very soon disposed of Pickering and McHenry, forcing them to resign.

There had been seditious opposition to the laws in Eastern Pennsylvania; John Fries was twice tried for treason, found guilty, and sentenced to death: Pickering and other leaders in the party were anxious to have the exemplary penalty inflicted; but the president pardoned Fries and his associates, greatly to the disgust of the extremists. Fries has the distinction of being the

only man ever convicted of treason in the United States.

Like most presidents, John Adams desired re-election. Jefferson was a very radical theorist; but with the errors and the successes of the twelve years before him, he was shrewd enough to drop his anarchic theories, his nullifying doctrines, his overstrained literal interpretations of the conconstitution and to make himself a practical ruler. But what he had said and done had made the conservative portion of the community afraid of him. Adams had a very respectable vote, sixty-five out of the 138 votes, Jefferson having seventy-three: a change of five votes would have elected Adams. But the Federal party was hopelessly disorganized.

On the twentieth of January, 1801, Ellsworth having resigned the position of Chief Justice, and Jay having declined the place, Adams had appointed his Secretary of State, John Marshall, to be Chief Justice. Had Adams done nothing else for his country, this selection of the greatest and most influential jurist America has known should be gratefully remembered. Federalist interpretations, giving strength and dignity to the national government, flowed from Marshall's brain and pen, years after the bodies of Adams and Jefferson were dust, and the old party contests had been merged in the "Era of Good Feeling."

Federalist leaders in Congress lent themselves to the silly and wicked scheme of electing Burr instead of Jefferson, since the electoral vote was tied between them. As they had been friends during the canvass, Jefferson sought Adams to ask his favorable influence. Adams

was feeling sore over his defeat, and instead of saying "yes," began to ask Jefferson to pledge himself to certain measures. Of course he rightly and proudly refused, and the two parted in anger. Adams is censurable for his irritable conduct of the last weeks of his term.

Early in the morning of the inauguration day, with heart saddened by the death of his son Charles, he was so discourteous as to leave the city of Washington and avoid the inauguration of his rival, long his friend. Not long before he had said to Jefferson in all good humor and sincerity, "If you beat me in the Presidency, I will be as faithful a subject as any you will have."

At home in Quincy the tired and sad old man amused himself with reading and study, and correspondence. He began an autobiography, which he left incomplete. This and his letters often make severe judgments upon others. He could not observe the maxim which gives title to one of Reade's novels, "Put Yourself in his Place." The very intensity and earnestness that had made him so valuable in the earlier part of his career appear as stubborn impracticability in the later. He was gloomy, now that he could no longer enjoy the battle of life.

He saw with pleasure the advancement of his son, and his election to the Presidency. When he was eighty-five years old his townsmen elected him to a State convention for the revision of the constitution. The convention elected him its president; but the infirmities of age compelled him to decline the post. He was a presi-

dential elector in 1820, and voted for Monroe. His dear wife was taken from him by a fever, Oct. 28th, 1818, when he was eighty-three years old; but he lived on until he was well along in his ninety first year. It is pleasant to record that his friendship with Jefferson was renewed. Jefferson made advances through Mrs. Adams; but his proud spirit was not appeased. Dr. Rush became the medium of a reconciliation.

John Quincy Adams
Son of John Adams, and Sixth President of the United States Born 1767. Died 1848.

They had come, indeed, upon common ground. The administration of Jefferson had from the first deserted his ultraisms. He was glad to use the power Federalism had framed. Swearing to observe the constitution, he believed that he had broken its plain sense by annexing the Louisiana Territory, a measure such as would have cost Adams no questioning.

So the two old men, friends again, approached the fiftieth anniversary of the great act in which they had so grandly shared. It proved the last day for each of them. Adams's mind was clear to the end. He died at sunset, Tuesday, July 4th, 1826. It is said that his last words were, "Jefferson still survives." He was wrong: Jefferson had died in the morning of that day.

John Adams's remains were buried in a tomb under the portico of the First Congregational (Unitarian) Church of Quincy. In the body of the church, by the side of the pulpit, at the preacher's right, is a marble tablet, seven feet by four, on which is chiselled a memorial of the statesman and of his wife. It is surmounted by Greenough's bust of the ex-president. Under that the first line is his favorite motto, *"Libertatem, amicitiam, fidem, retinebis"*— Liberty, friendship, faith, thou wilt hold fast. Overlooking his personal defects, the judgment of the ages will pronounce him in service to his country second only to Washington.

JOHN ADAMS.

(1735-1826)

By G. Mercer Adam.*

OF the patriot founders of the American Republic no one, if we except the "Father of his Country," is more conspicuous in the group than John Adams, second President of the United States and one of the chief promoters of Independence. Though of irascible mood and pugnacious, combative temper, he was a zealous friend of and devoted to his country, and, in spite of his characteristic vehemence, choleric disposition, and impatience of restraint, was a most popular, and, in many respects, lovable man, an experienced diplomat, and able chief magistrate of the young nation. His intelligent interest in public affairs was remarkable, as is shown by his extensive writings, as well as by the notable part he took in the important events of his time. His virile character and commanding, masterful ways made him many enemies, and caused him to be distrustful even of colleagues such as Franklin and of political associates such as Hamilton and Jefferson; while his envy of such a hero as Washington, and his impatience with numberless people to whom a more politic manner might have made them alike helpful to him and his country, were

*Historian, Biographer, and Essayist, Author of a "Précis of English History," a "Continuation of Grecian History," etc., and for many years Editor of *Self-Culture Magazine*.—The Publishers.

traits in the man that detract from his reputation and lessen the high estimate that to-day might otherwise be placed upon him. In spite of all this, and of the vigor of his utterances, his censorious mood, and the self-opinionated manner of the man, John Adams was an ardent and uncompromising friend of the young Republic, an indefatigible and sagacious statesman, and a staunch and ever loyal worker for the wellbeing and advancement of his country.

The Adams family—a notable one in New England—came of sound Puritan stock, his progenitors being farmers in the Massachusetts colony who had settled at Braintree (now Quincy) as far back as the year 1636. The father of John Adams, who died in 1761, when his illustrious son was twenty-five years of age, had by hard work and thrift gathered together a modest estate, and was able to send his son for an education to Harvard College, from which he graduated in 1755, with a fair reputation as a scholar, and the possession of good gifts as a public speaker and budding orator. When he passed from college, young Adams taught school for a time at Worcester, Mass., his parents meanwhile desiring him to study for the ministry, though he himself had a preference for the law; and finally took to that as a profession. For it he read assiduously such text-books in legal lore as were then available, in addition to post-graduate courses in ethics, philosophy, and the science of government. He also kept up his knowledge of the ancient classics, and had an inward longing for a military career or that of a political orator, with an eye, the while, on town-meetings and local agitations, and, above all, on the threatening political aspects of the time. Mean-

while, he was admitted a member of the bar of New England, and ere long attained prestige and popularity in his adopted profession. Moreover, he had fallen in love with, and presently married, a charming and most estimable lady of high social position, Abigail Smith, daughter of a clergyman of Weymouth, Mass., and of his worthy wife, who was connected with the Quincy and Norton families —a marriage that was of much benefit in many ways to the future statesman and United States President, and a constant solace to him amid the distractions of his laborious and often stormy career. This happy event occurred in 1764, the year before the imposition of the obnoxious Stamp Act, against which John Adams, together with his famous cousin, Samuel Adams, stoutly protested, and in doing so engaged in numerous public harangues, besides offering a series of resolutions hostile to the measure, and espousing and vigorously upholding the popular cause against the ill-advised oppression of the mother land.

In assuming this attitude, the young patriot had some years earlier (1761) been stirred by James Otis' indignant speech in the State House, Boston, in opposition to the enforcement of the Writs of Assistance—that first act in the pre-Revolutionary era against legalized tyranny and encroachment on the rights of the Colonists which set fire to the heart of the people and incited them to resistance and, later on, to armed rebellion. His own impulses to ally himself with the patriot party were by this speech greatly promoted, and led him, among other things, to protest against the validity of the Stamp Act; though he was tolerant and large-minded enough, even to his own hurt, to

defend as counsel the soldiers concerned in the affray known as the Boston Massacre, arguing honestly that it was the public prejudices against the English troops that had led them to acts of bloodshed and violence. For this, though it brought upon him some unmerited public abuse, Adams had his reward in his successful defense of the soldiers; while the Tory authorities of Boston sought to decoy him to their side, by the bribe of offices offered him, but which he patriotically refused to accept. The act of justice to the British soldiery, however, did Adams no real injury, for we presently find him chosen member of the Revolutionary Congress of Massachusetts and a delegate to the first Continental Congress, which met at Philadelphia in September, 1774. At this era, the English government was more unwisely bent on coercing and dragooning the Colonies; while the latter retaliated by many hostile acts, including, in the previous year (1773), the throwing overboard from the ships in Boston harbor of the cargoes of English taxed tea. At this, England now proceeded to greater extremities, by practically closing the port of Boston to commerce, and by enacting that persons caught engaging in, or suspected of engaging in, acts hostile to the Crown in the Colonies were to be sent for trial to the mother country. The appointment of General Gage as governor and commander-in-chief of the English troops in Boston was also deemed a menace, adding to the inflamed state of feeling, already widely prevalent, against the military and the partisans of monarchy in the country. To checkmate these encroachments and offset their irritating effect upon the people, Congress, besides setting forth Colonial grievances in a

Declaration of Rights and protesting against illegal taxation, set its face firmly against further English aggression, and, by the passing of non-importation acts and other measures, showed the length to which the country was likely to go in the way of resistance—to the extent even of raising a military force to take the field, if need be, against the Crown.

At this period of great political ferment, John Adams, who had by this time made a home for himself at Boston, and had become an influential man at the bar and a notable figure in the circles of the patriotic party in Massachusetts, was named a member of the General Congress, to meet at Philadelphia. Here his career as a statesman began, for he was known now far and wide as an able publicist, as well as an honest, courageous patriot, though perhaps too vehement in the cause he had espoused, and, like his cousin, Samuel Adams, at times indiscreet in his public utterances. In the first Continental Congress, which met in September, 1774, he represented Massachusetts as one of its delegates, and, as we have hinted, became a prominent member of the body and one of its chief debaters. He was also one of the committee that framed the Declaration of Independence, after the articles of Union and Confederation had been promulgated, and strenuously advocated its adoption in an eloquent and patriotic speech. In the second Continental Congress, which met in May, 1775, at Philadelphia, he proposed Washington as commander-in-chief of the Continental forces, an astute act on the part of John Adams, for besides being himself eager for war with England, which had already broken out, he desired to knit the

Southern and the Northern portions of the Confederacy of the States together, and to commend a Virginia officer to his New England constituents. In moving for this appointment, Adams run a certain risk; but he readily took it, much to the chagrin especially of John Hancock, president of the Congress, who desired the commander-in-chief's post for himself. He, however carried his point, with his accustomed pugnacity and confidence; and Washington, then forty-three, took command of the nucleus of the American army assembled at Cambridge, Mass., a few days after the battle of Bunker Hill.

Even at this late era, the Colonies had not wholly and unreservedly broken with England, in spite of the two Adamses, who were clamoring for war. Some of them still feared to range themselves among perverse rebels of the Crown; while not a few public men clung yet to hope of reconciliation, with some satisfactory readjustment of the relations between the motherland and the Colonies. Conciliation, however, came to naught, and the die was now cast—the Colonies setting to work, under Washington, to augment the army and make it more efficient; while John Adams was taking active steps on a committee of naval affairs to organize a marine corps and a fleet of war vessels, under the unfortunate Esek Hopkins, and Congress had sanctioned the building of thirteen frigates. Adams, at this juncture, was a tower of strength to the Colonies, and no man was more assiduous and helpful on committees of Congress; while by his labors, among other measures he took part in, in drafting the Articles of Confederation, which made it easier for the Colonies to borrow money

abroad as well as enlist sympathy in France for the status of Independence, he earnestly and patriotically furthered the cause of the new and aspiring nation. It was at this time that he earned the title of "the colossus of debate," applied to him by Jefferson when Adams was advocating the adoption of the Declaration of Independence against the argument of the Conciliationists, such as Jay and Dickinson.

In 1776, Mr. Adams acted as chairman of the Board of War, as well as served on as many other Congressional committees; and, a little later, Massachusetts elected him chief-justice of the State, as one of her ablest jurists. The latter office he, however, did not accept, the calls of duty in the political field being at this time so many and weighty upon his time and strength; though early in 1778 we find him setting out for France, with his son, John Quincy Adams (afterwards, like his father, United States President), having accepted the post of one of the commissioners to France, superseding Silas Deane, who had not given satisfaction to Congress as an envoy at the French court. In France, at this time, Mr. Adams did not stay long, as the Colonies were already represented in Paris by Franklin and Arthur Lee; while he did not get on well with Franklin and the French foreign minister, the Count de Vergennes, the latter of whom he especially distrusted, finding him, as he thought, far from disinterested in his professed friendship for America. Returning to the New World in 1779, he was chosen delegate to the Massachusetts' Constitutional Convention, but from the latter he was called away once more to proceed to Europe, this time to take part in the expected peace treaty with England, notwith-

standing the fact that, unlike Franklin, Jay, and Jefferson, he had little of the art of the diplomat, and was too outspoken in his distrust of the French alliance, not to speak of his hostility to Vergennes, Louis XVI's foreign minister. Adams, however, possessed the confidence of Congress, which body had at this time dispatched him abroad as special envoy; but England was not yet in the humor to make overtures for peace with the Colonies, and in the meantime the special envoy proceeded (1780) to Holland, where, besides negotiating a treaty of commerce with that European power, he also secured a loan to the Colonies of $2,000,000 on the Amsterdam money market. While abroad, and installed as minister of the United States at The Hague, the surrender of Cornwallis at Yorktown occurred, and this finally brought England to her senses and paved the way for the preliminaries of peace between the Colonies and the English motherland. To take part in the peace negotiations, Adams proceeded to Paris, to confer with Franklin and Jay, the latter of whom had been representing his country at Madrid. Here, with his colleagues, and in spite of the interference from Vergennes, who hated Adams, the latter was able to secure important concessions in the treaty with England, including, besides recognition of American independence, those relating to the fisheries, to the navigation of the Mississippi, and to commercial relations generally.

The definitive peace treaty with Great Britian was signed at Paris September 3, 1783, preceded by the return from America of the French allied army, as well as by the British forces, and followed, in November, by Washington's

farewell to the army under him and its disbandment. The independence of the United States was in this year recognized by Spain, Russia, Sweden, and Denmark; and the peace treaty with the mother country was ratified by Congress in January, 1784. A year or so later, Mr. Adams was appointed U. S. minister to Great Britian, followed by Jefferson's commission as U. S. minister to France. Naturally, Adams had no subserviency to offer to the English Court, while he was too blunt and outspoken to make pleasant his English residence, which extended for a period of nearly three years. While there, he wrote and issued (in 1787) his "Defense of the American Constitution," on the nature and character embodied in the Constitution adopted during the Revolution, a work which was most timely in its appearing, in view of the sittings of the Philadelphia Convention to frame a Federal Constitution for the United States. Adams' career in England cannot be called a success, though he made no serious mistakes, beyond irritation with his surroundings and annoyance at the lack of consideration shown him by the English Court; while he had few social successes such as were enjoyed by Franklin at the French capital. Wearying over his expatriation and embittered against England, he sent across the sea his resignation, and in 1788 returned to America.

That Adams had not lost favor in his own country by his acts and attitude abroad as a diplomat, is proved by his nomination on the ticket with Washington for the high office of President, according to the system of election which at that time prevailed. Washington, as all know, obtained the chief prize, by a vote, in 1789, of sixty-nine

to thirty-four for Adams, who was thus elected to the minor office. In 1793, he retained the same post in Washington's second term, and on the latter's declining to serve for a third term, Adams then (1797) became President, with Jefferson as Vice-President. For the office of Vice-President, Adams, as we know, cared little, since it afforded little scope for his abilities; while his temper was hardly such as to make him an ideal presiding officer of the Senate. Moreover, the political parties began now to be rent asunder by animosities and quarrels among their leaders, and by a sharper line than had hitherto divided the Federalists and the Republican-Democrats. This not only embittered public life for those engaged in it, but also embittered the relations between the party chiefs—Hamilton, Jay, and Adams on the side of the Federalists, and those of the more popular party under Jefferson, Madison, and others. Divisions also led to ruptures personally among the Federalists themselves, which alienated Hamilton from Adams, and ultimately led to the disintegration of the old aristocratic party.

At this formative period of the young nation, this alienation and friction among representative men naturally had a sinister effect, for it widened the breach between the classes, and socially was thus to be deplored. This, as it happened, was disadvantageous to Adams' popularity, and perhaps led him, yeoman though he was by birth and upbringing, to become more aristocratic and fond of state and its trappings in office, while rendering him less acceptable to the people. But the party to which Adams belonged must itself bear some of the blame of this, for the Fed-

eralists chiefly represented the intellectual as well as the moneyed and property people, together with the bulk of the army officers, and those who had a stake in the country and were in favor of a centralized Federal government and a strong national administration. This was especially shown during Washington's second term, and particularly during the four years of President Adams' own rule. In the opposing, or people's, party were the laboring and many of the trading classes, who, not only were united among their leaders, but, of course, had more faith than the Federalists had or showed in Democratic rule and the well-being of the State under a democracy. The French Revolution, which had then broken out, had also some influence in widening the gulf between the two parties, Jefferson and his colleagues seeing that the state of France at the time was but the logical outcome of the opposition of the proletariat to autocratic rule, and the assertion of principles akin to those embodied in the American Declaration of Independence.

When Washington, in 1793, was elected for a second term, John Adams, as we have seen, was re-elected by a large vote to the Vice-Presidency. At this era the country was internally disturbed by the strife and intrigues of the political parties, and externally concerned over the outbreak of revolution in France, and by the relations between the two nations. In January Louis XVI had been executed, and England and her Continental allies declared war against revolutionary France. The Reign of Terror ensued, and in 1795 came the rule of the French Directory and the rise of Napoleon Bonaparte, who was then

engaged in his great campaign in Italy. Adams was anti-Gallican in his sympathies, and when the French Directory threatened this country with war, he did much, as we shall see, to avert it, in spite of the excitement over French interference with American maritime interests and the desire of the Republicans to precipitate strife, so that they might embarrass England whom they hated, and was then at war with France. Meanwhile, Washington had, in 1796, come to the end of his second term of office, and the election of John Adams to the Presidency followed, his competitor being Thomas Jefferson, who received 68 electoral votes, against Adams' 71 votes. Jefferson then became Vice-President. On Adams' assumption of office, he pursued the foreign policy of his predecessor, Washington, in maintaining neutrality and non-interference in the war between France and England and her allies. In this course he showed much wisdom, though the foreign relations of the government at the time were full of menace, and it was difficult to repress public feeling for war. Though this attitude of the President gave not a little offense to the Federalists, and, indeed, did much to break down the cohesion and unity of the Federal party, President Adams adhered to his peace policy and named three envoys—Messrs. Marshall, Pinckney, and Gerry—to proceed to France to remove the sources of international irritation and maintain peace between the two countries. At the same time he patriotically addressed himself to the task of preparing the nation for the alternative of war, by recommending to Congress the construction of a navy and the calling out of an armed force of 16,000 men, inducing Washington to assume

his old post of commander-in-chief, with Hamilton as his chief coadjutor, whose appointment Adams sanctioned in spite of that soldier-statesman's political hostility to the President.

The diplomatic negotiations with Republican France came to little, for the Directory was then very mercenary in its views, Talleyrand even going so far as to demand a monetary tribute from the United States to secure influence with the First Consul, an insult which our envoys spiritedly resented in their familiar, indeed memorable words: "Millions for defense, but not a cent for tribute!" In this, Adams saw but the old design, not only to show French contempt for the new born American nation, but the hollowness of her professions of aid, which as a diplomat in France he had detected in Count Vergennes—only that she might embarass and annoy England in her attitude towards the American Colonies. The President, nevertheless, was able to avert hostilities with France and gain what diplomatic advantages that were then possible. In domestic affairs, he had much, moreover, at this time to concern and worry him, arising out of the political ferments and war excitements of the period. Hamilton, who was the Federal leader and a powerful factor in governing, gave him especially much trouble with his active rivalries added to the intrigues of other Hamiltonians, of the Federal party in the Cabinet. They disliked Adams' vanity and overweaning confidence, as well as his combative moods and sturdy independence. The amount of vituperation cast upon his administration was was also embittering to him, as he knew whence it proceeded, chiefly from Hamilton's henchmen, who attacked Ad-

ams bitterly, and, among other things, for his conciliatory attitude towards France. The breach with that power they hoped to widen, rather than heal, and Adams, in thus thwarting and circumventing them, did good service to the country, while averting war and all the evils and inflamed party tumult that a period of international strife would then have brought in its train.

It was at this crisis (1798) that the Adams administration committed itself to the passing of the objectionable Alien and Sedition Act, which the government's enemies deemed hostile to the unfettered liberties of the nation, though seemingly justified as necessary measures to coerce the unruly foreign element in this country at the period, which was most outspoken in its anti-American utterances and in the freedom with which it aspersed prominent public men. Against the libels hurled at the government, the Sedition Act was specially directed, for it made it a crime to indulge in these diatribes alike among the aliens and among those ribald and abusive writers in the Press who were opposed to the administration and its head. The Alien Act was equally opposed, as it gave power to the Administration and the President (though the latter, to his credit it ought to be said, made no use of it) to arrest, imprison, and even export and send out of the country, any alien deemed dangerous to the State, or who might engage in treasonable or secret machinations against it. Both Acts were to be limited in their duration—not extending beyond two years—but they were so fiercely and stubbornly resisted that they were withdrawn, as being unnecessary and too sweeping and severe. Among those who denounced the Acts was the

Swiss member of Congress from Pennsylvania, Albert Gallatin, who was subsequently known as an able American statesman, diplomat, and financier. One or two of the States also opposed this un-American legislation—such as Kentucky and Virginia—and gave rise to the attitude of Nullification, or to talk tending in that direction, together with some adverse criticism of the national Constitution and its infringement of what was deemed State-Rights. With the withdrawal of the Acts the clamor of the time against them subsided, though, as already hinted, the Federalist party was soon now to suffer for their temporary enforcement—an enforcement which the disturbed and even dangerous condition of the country at the period seemed to warrant, little as we to-day can appreciate the fact.

In 1800, Adams again became the Federalist candidate for the Presidency for a second term; but his re-election was hotly opposed by the Republican-Democrats, led by Jefferson, who was himself a candidate at this era for the exalted office; while the Federalist vote was in part cast against Adams, owing to internal jealousies and dissensions in the ranks of the party. Hamilton, moreover, who had retired from the Secretaryship of the Treasury and was now commander-in-chief of the army (for the great Washington had just died) was also opposed to Adams' second term in office. The result, as we all know, proved adverse to Adams, and to the perpetuation of a Federalist administration. With John Adams, C. C. Pinckney was nominated by the Federalists, while the Republicans put forward Jefferson and Aaron Burr. In spite of opposition to Adams and the hopes of the Republicans to snatch the Presidency, Adams received 65

votes to Jefferson's 73—failing only by eight votes in securing a second term. The Republican vote for Jefferson and Burr tied at 73, and, in consequence, the election was thrown into the House, with the result that Jefferson became President, and Burr obtained the Vice-Presidency. The vote, naturally, was a disappointment to Adams, while he disliked the idea of the country's affairs passing from Federalist to Republican hands. This led him, unwisely and rather ungenerously, to fill up every vacant office with men of his own party, though one office he filled with great discernment and good judgment—that of the Chief Justiceship, which he gave to the able jurist, John Marshall.

Thus passed the administration of John Adams and his retirement to private life at his home in Quincy, Mass., which he was now to enjoy for a period of twenty-five years. The Federalists had earned better luck than now was theirs in the Government passing into Republican hands, for in Washington and Adams it had given two able and honest men to the Presidency and, admittedly, had governed wisely and effectively, and with credit to the young nation. So deserving in many respects had been Adams' own rule in high office, in spite of his vanity and vehemence of utterance, and his many enmities, that his rejection for a second term was in not a few influential instances deplored. At his nomination, Patrick Henry, among other statesmen and publicists of the time, had written commending his services in the Presidential office in these words. "Nothing," writes the great orator, "short of an absolute necessity could induce me to withhold my little aid from an administration whose ability, patriotism, and virtue deserve the gratitude

and reverence of all their fellow-citizens." Of Adams and his régime, the historian and lecturer, Dr. John Lord, has this to say of the man and his constructive and patriotic statesmanship: "Some excellent writers of history think that the glory of Adams was brightest in the period before he became President, when he was a diplomatist—that as a President he made mistakes, and had no marked executive ability. I think otherwise. It seems to me that his special claims to the gratitude of his country must include the wisdom of his administration in averting an intangling war, and guiding the ship of state creditably in perplexing dangers; that in most of his acts, while filling the highest office in the gift of the people, he was patient, patriotic, and wise. We forget the exceeding difficulties with which he had to contend, and the virulence of his enemies. What if he was personally vain, pompous, irritable, jealous, stubborn, and fond of power? These traits did not swerve him from the path of duty and honor, nor dim the lustre of his patriotism, nor make him blind to the great interests of the country as he understood them,—the country whose independence and organized national life he did so much to secure. All cavils are wasted, and worse than wasted, on such a man. His fame will shine forevermore, in undimmed lustre, to bless mankind. Small is that critic who sees the defects but has no eye for the splendor of a great career!"

Impatiently, and rather sullenly, we fear, Adams left the capital precipitately, and before the inauguration of Thomas Jefferson, his successor in the Presidency. At his New England home, which he loved, he lived a life of quiet and studious repose, occupied with his farm and in its agricultural affairs, yet still taking an earnest and patriotic in-

terest in the wellbeing and prosperity of the nation. He had an interesting family, one of his sons, John Quincy Adams, he lived to see, as he had himself been, President of the United States. His wife, a remarkable woman, who had long been his companion and solace throughout a varied and troublous career, died in 1818; while before his retirement from the presidency he had lost his son, Charles. In retirement, he engaged in much correspondence and wrote considerably, in the way of memoirs and comments on public affairs: much of this matter was subsequently compiled and edited by his grandson, Charles Francis Adams, another member of his illustrious name, who became a statesman and diplomat, and who also edited his father's writings and correspondence. Of his old-time friends, it is pleasing to record his reconciliation, and after the rupture of his relations, with Jefferson, and, as it happened, both men lived to see the fiftieth anniversary of the Declaration of Independence, which both patriots had been instrumental in preparing and passing. Both men died on the same day—July 4, 1826—Jefferson predeceasing Adams by but a few hours. The demise of the old Revolutionary father, John Adams, occurred at his home in Quincy, Massachusetts, in his ninety-first year, his faculties being preserved him to the end, and manifested patrioticly in his last words —"Independence forever!" His mortal remains found a last resting-place neath the portico of the First Congregational (Unitarian) Church at Quincy, and to the shrine come to-day many footsteps of those who not only love their country and its early heroes, but who admire the nation's second President, and desire to pay loving tribute to his memory.

JOHN ADAMS' SPEECH AS COUNSEL ON THE BOSTON MASSACRE, IN DEFENSE OF THE BRITISH SOLDIERS ACCUSED of MURDER IN THE BOSTON RIOT OF 1770.

May it Please Your Honor, and You, Gentlemen of the Jury:

I AM for the prisoners at the bar, and shall apologize for it only in the words of the Marquis Beccaria: "If I can but be the instrument of preserving one life, his blessings and tears of transport shall be a sufficient consolation for me for the contempt of all mankind."

As the prisoners stand before you for their lives, it may be proper to recollect with what temper the law requires we should proceed to this trial. The form of proceeding at their arraignment has discovered that the spirit of the law upon such occasions is conformable to humanity, to common-sense and feeling; that it is all benignity and candor. And the trial commences with the prayer of the court, expressed by the clerk, to the Supreme Judge of judges, empires, and worlds, "God send you a good deliverance."

We find in the rules laid down by the greatest English judges, who have been the brightest of mankind: We are to look upon it as more beneficial that many guilty persons should escape unpunished than one innocent should suffer. The reason is, because it is more importance to the community that innocence should be protected than it is that guilt should be punished; for guilt and crimes are so frequent in the world that all of them cannot be punished; and many times they happen in such a manner that it is not of

much consequence to the public whether they are punished or not. But when innocence itself is brought to the bar and condemned, especially to die, the subject will exclaim, "It is immaterial to me whether I behave well or ill, for virtue itself is no security." And if such a sentiment as this should take place in the mind of the subject, there would be an end to all security whatsoever. I will read the words of the law itself.

The rules I shall produce to you from Lord Chief-Justice Hale, whose character as a lawyer, a man of learning and philosophy, and a Christian, will be disputed by nobody living; one of the greatest and best characters the English nation ever produced. His words are these:

"It is always safer to err in acquitting than punishing, on the part of mercy than the part of justice."

Again, he says: "It is always safer to err on the milder side, the side of mercy."

"The best rule in doubtful cases is rather to incline to acquittal than conviction."

"Where you are doubtful, never act; that is, if you doubt of the prisoner's guilt, never declare him guilty."

This is always the rule, especially in cases of life. Another rule from the same author, says:

"In some cases presumptive evidences go far to prove a person guilty, though there is no express proof of the fact to be committed by him; but then it must be very warily expressed, for it is better five guilty persons should escape unpunished than one innocent person should die."

The next authority shall be from another judge of equal character, considering the age wherein he lived; that is

Chancellor Fortescue, in "Praise of the Laws of England."

This is a very ancient writer on the English law. His words are:

"Indeed, one would rather, much rather, that twenty guilty persons escape punishment of death, than one innocent person be condemned and suffer capitally."

Lord Chief-Justice Hale says:

"It is better five guilty persons escape, than one innocent person suffer."

Lord Chancellor Fortescue, you see, carries the matter further, and says:

"Indeed, one had rather, much rather, that twenty guilty persons should escape than one innocent person suffer capitally."

Indeed, this rule is not peculiar to the English law; there never was a system of laws in the world in which this rule did not prevail. It prevailed in the ancient Roman law, and, which is more remarkable, it prevails in the modern Roman law. Even the judges in the Courts of Inquisition, who with racks, burnings, and scourges examine criminals—even there they preserve it as a maxim, that it is better the guilty should escape punishment than the innocent suffer. "Satius esse nocentem absolvi quam innocentem damnari." This is the temper we ought to set out with, and these the rules we are to be governed by. And I shall take it for granted, as a first principle, that the eight prisoners at the bar had better be all acquitted, though we should admit them all to be guilty, than that any one of them should, by your verdict, be found guilty, being innocent.

I shall now consider the several divisions of law under which the evidence will arrange itself.

The action now before you is homicide; that is, the killing of one man by another. The law calls it homicide; but it is not criminal in all cases for one man to slay another. Had the prisoners been on the Plains of Abraham and slain a hundred Frenchmen apiece, the English law would have considered it as a commendable action, virtuous and praiseworthy; so that every instance of killing a man is not a crime in the eye of the law. There are many other instances which I cannot enumerate—an officer that executes a person under sentence of death, etc. So that, gentlemen, every instance of one man's killing another is not a crime, much less a crime to be punished with death. But to descend to more particulars.

The law divides homicide into three branches; the first is "justifiable," the second "excusable," and the third "felonious." Felonious homicide is subdivided into two branches; the first is murder, which is killing with malice aforethought; the second is manslaughter, which is killing a man on a sudden provocation. Here, gentlemen, are four sorts of homicide; and you are to consider whether all the evidence amounts to the first, second, third, or fourth of these heads. The fact was the slaying five unhappy persons that night. You are to consider whether it was justifiable, excusable, or felonious; and if felonious, whether it was murder or manslaughter. One of these four it must be. You need not divide your attention to any more particulars. I shall, however, before I come to the evidence, show you

several authorities which will assist you and me in contemplating the evidence before us.

I shall begin with justifiable homicide. If an officer, a sheriff, execute a man on the gallows, draw and quarter him, as in case of high treason, and cut off his head, this is justifiable homicide. It is his duty. So also, gentlemen, the law has planted fences and barriers around every individual; it is a castle round every man's person, as well as his house. As the love of God and our neighbor comprehends the whole duty of man, so self-love and social comprehend all the duties we owe to mankind; and the first branch is self-love, which is not only our indisputable right, but our clearest duty. By the laws of nature, this is interwoven in the heart of every individual. God Almighty, whose law we cannot alter, has implanted it there, and we can annihilate ourselves as easily as root out this affection for ourselves. It is the first and strongest principle in our nature. Justice Blackstone calls it "The primary canon in the law of nature." That precept of our holy religion which commands us to love our neighbor as ourselves does not command us to love our neighbor better than ourselves, or so well. No Christian divine has given this interpretation. The precept enjoins that our benevolence to our fellow-men should be as real and sincere as our affection to ourselves, not that it should be as great in degree. A man is authorized, therefore, by common-sense and the laws of England, as well as those of nature, to love himself better than his fellow-subject. If two persons are cast away at sea, and get on a plank (a case put by Sir Francis Bacon), and the plank is insufficient to hold them both, the one has

a right to push the other off to save himself. The rules of the common law, therefore, which authorize a man to preserve his own life at the expense of another's, are not contradicted by any divine or moral law. We talk of liberty and property, but if we cut up the law of self-defense, we cut up the foundations of both; and if we give up this, the rest is of very little value, and therefore this principle must be strictly attended to; for whatsoever the law pronounces in the case of these eight soldiers will be the law to other persons and other ages. All the persons that have slain mankind in this country from the beginning to this day had better have been acquitted than that a wrong rule and precedent should be established.

I shall now read to you a few authorities on this subject of self-defense. Foster (in the case of justifiable self-defense) says:

"The injured party may repel force with force in defence of person, habitation, or property, against one who manifestly intendeth and endeavoreth with violence or surprise to commit a known felony upon either. In these cases he is not obliged to retreat, but may pursue his adversary till he finds himself out of danger; and if in a conflict between them he happeneth to kill, such killing is justifiable."

I must entreat you to consider the words of this authority. The injured person may repel force by force against any who endeavoreth to commit any kind of felony on him or his. Here the rule is, I have a right to stand on my own defence, if you intend to commit felony. If any of the persons made an attack on these soldiers, with an inten-

tion to rob them, if it was but to take their hats feloniously, they had a right to kill them on the spot, and had no business to retreat. If a robber meet me in the street and command me to surrender my purse, I have a right to kill him without asking any questions. If a person commit a bare assault on me, this will not justify killing; but if he assault me in such a manner as to discover an intention to kill me, I have a right to destroy him, that I may put it out of his power to kill me. In the case you will have to consider, I do not know there was any attempt to steal from these persons; however, there were some persons concerned who would, probably enough, have stolen, if there had been anything to steal, and many were there who had no disposition. But this is not the point we aim at. The question is, Are you satisfied the people made the attack in order to kill the soldiers? If you are satisfied that the people, whoever they were, made that assault with a design to kill or maim the soldiers, this was such an assault as will justify the soldiers killing in their own defence. Further, it seems to me, we may make another question, whether you are satisfied that their real intention was to kill or maim, or not? If any reasonable man in the situation of one of these soldiers would have had reason to believe in the time of it, that the people came with an intention to kill him, whether you have this satisfaction now or not in your own minds, they were justifiable, at least excusable, in firing. You and I may be suspicious that the people who made this assault on the soldiers did it to put them to flight, on purpose that they might go exulting about the town afterward in triumph; but this will not do. You must place your-

selves in the situation of Weems and Killroy—consider yourselves as knowing that the prejudice of the world about you thought you came to dragoon them into obedience, to statutes, instructions, mandates, and edicts, which they thoroughly detested—that many of these people were thoughtless and inconsiderate, old and young, sailors and landsmen, negroes and mulattoes—that they the soldiers, had no friends about them, the rest were in opposition to them; with all the bells ringing to call the town together to assist the people in King Street, for they knew by that time that there was no fire; the people shouting, huzzaing, and making the mob whistle, as they call it, which, when a boy makes it in the street is no formidable thing, but when made by a multitude is a most hideous shriek, almost as terrible as an Indian yell; the people crying, "Kill them, kill them. Knock them over," heaving snowballs, oyster shells, clubs, white-birch sticks three inches and a half in diameter; consider yourselves in this situation, and then judge whether a reasonable man in the soldiers' situation would not have concluded they were going to kill him. I believe if I were to reverse the scene I should bring it home to our own bosoms. Suppose Colonel Marshall when he came out of his own door and saw these grenadiers coming down with swords, etc., had thought it proper to have appointed a military watch; suppose he had assembled Gray and Attucks that were killed, or any other person in town, and appointed them in that situation as a military watch, and there had come from Murray's barracks thirty or forty soldiers with no other arms than snowballs, cakes of ice, oyster shells, cin-

ders, and clubs, and attacked this military watch in this manner, what do you suppose would have been the feelings and reasonings of any of our householders? I confess, I believe they would not have borne one-half of what the witneses have sworn the soldiers bore, till they had shot down as many as were necessary to intimidate and disperse the rest; because the law does not oblige us to bear insults to the danger of our lives, to stand still with such a number of people around us, throwing such things at us, and threatening our lives, until we are disabled to defend ourselves.

Foster: "Where a known felony is attempted upon the person, be it to rob or murder, here the party assaulted may repel force with force, and even his own servant, then attendant on him, or any other person present, may interpose for preventing mischief, and if death ensue, the party so interposing will be justified. In this case nature and social duty co-operate."

Hawkins, P. C., states: "Yet it seems that a private person, *a fortiori*, an officer of justice, who happens unavoidably to kill another in endeavoring to defend himself from or suppress dangerous rioters, may justify the fact inasmuch as he only does his duty in aid of the public justice."

"And I can see no reason why a person, who, without provocation, is assaulted by another in any place whatsoever, in such a manner as plainly shows an attempt to murder him, as by discharging a pistol, or pushing at him a drawn sword, etc., may not justify killing such an assailant, as much as if he had attempted to rob him. For

is not he who attempts to murder me more injurious than he who barely attempts to rob me? And can it be more justifiable to fight for my goods than for my life?

And it is not only highly agreeable to reason that a man in such circumstances may lawfully kill another, but it seems also to be confirmed by the general tenor of our books, which, speaking of homicide *se defendo,* suppose it done in some quarrel or affray.

Hawkins, "And so, perhaps, the killing of dangerous rioters may be justified by any private persons, who cannot otherwise suppress them or defend themselves from them, inasmuch as every private person seems to be authorized by the law to arm himself for the purpose aforesaid."

Here every private person is authorized to arm himself; and on the strength of this authority I do not deny the inhabitants had a right to arm themselves at that time for their defence, not for offence. That distinction is material, and must be attended to.

Hawkins: "And not only he who on an assault retreats to the wall, or some such strait, beyond which he can go no further before he kills the other, is judged by the law to act upon unavoidable necessity; but also he who being assaulted in such a manner and in such a place that he cannot go back without manifestly endangering his life, kills the other without retreating at all."

"And an officer who kills one that insults him in the execution of his office, and where a private person that kills one who feloniously assaults him in the highway, may justify the fact without ever giving back at all."

There is no occasion for the magistrate to read the Riot Act. In the case before you, I suppose you will be satisfied when you come to examine the witnesses and compare it with the rules of the common law, abstracted from all mutiny acts and articles of war, that these soldiers were in such a position that they could not help themselves. People were coming from Royal Exchange Lane, and other parts of the town, with clubs and cordwood sticks; the soldiers were planted by the wall of the Custom House; they could not retreat; they were surrounded on all sides, for there were people behind them as well as before them; there were a number of people in the Royal Exchange Lane; the soldiers were so near the Custom House that they could not retreat, unless they had gone into the brick wall of it. I shall show you presently that all the party concerned in this unlawful design were guilty of what any one of them did; if anybody threw a snowball it was the act of the whole party; if any struck with a club or threw a club, and the club had killed anybody, the whole party would have been guilty of murder in the law. Lord Chief-Justice Holt, in Mawgrige's case, says:

"Now, it has been held, that if A of his malice prepense assaults B to kill him, and B draws his sword and attacks A and pursues him, then A, for his safety, gives back and

retreats to a wall, and B still pursuing him with his drawn sword, A in his defence kills B; this is murder in A. For A having malice against B, and in pursuance thereof endeavoring to kill him, is answerable for all the consequences of which he was the original cause. It is not reasonable for any man that is dangerously assaulted, and when he perceives his life in danger from his adversary, but to have liberty for the security of his own life, to pursue him that maliciously assaulted him, for he that has manifested that he has malice against another is not fit to be trusted with a dangerous weapon in his hand. And so resolved by all the judges when they met at Seargeant's Inn, in preparation for my Lord Morley's trial."

In the case here we will take Montgomery, if you please, when he was attacked by the stout man with the stick, who aimed it at his head, with a number of people round him crying out, "Kill them, kill them." Had he not a right to kill the man? If all the party were guilty of the assault made by the stout man, and all of them had discovered malice in their hearts, had not Montgomery a right, according to Lord Chief-Justice Holt, to put it out of their power to wreak their malice upon him? I will not at present look for any more authorities in the point of self-defence; you will be able to judge from these how far the law goes in justifying or excusing any person in defence of himself, or taking away the life of another who threatens him in life or limb. The next point is this: that in case of an unlawful assembly, all and every one of the assembly is guilty of all and every unlawful act committed by any one of

that assembly in prosecution of the unlawful design set out upon.

Rules of law should be universally known, whatever effect they may have on politics; they are rules of common law, the law of the land; and it is certainly true, that wherever there is an unlawful assembly, let it consist of many persons or a few, every man in it is guilty of every unlawful act committed by any one of the whole party, be they more or be they less, in pursuance of their unlawful design. This is the policy of the law; to discourage and prevent riots, insurrections, turbulence, and tumults.

In the continual vicissitudes of human things, amid the shocks of fortune and the whirls of passion that take place at certain critical seasons, even in the mildest government, the people are liable to run into riots and tumults. There are Church-quakes and State-quakes in the moral and political world, as well as earthquakes, storms, and tempests in the physical. Thus much, however, must be said in favor of the people and of human nature, that it is a general, if not a universal truth, that the aptitude of the people to mutinies, seditions, tumults, and insurrections, is in direct proportion to the despotism of the government. In governments completely despotic—that is, where the will of one man is the only law, this disposition is most prevalent. In aristocracies next, in mixed monarchies, less than either of the former; in complete republics the least of all, and under the same form of governments as in a limited monarchy, for example, the virtue and wisdom of the administrations may generally be measured by the peace and order that are seen among the people. However this may be, such is the in-

perfection of all things in this world, that no form of government, and perhaps no virtue or wisdom in the administration, can at all times avoid riots and disorders among the people.

Now, it is from this difficulty that the policy of the law has framed such strong discouragements to secure the people against tumults; because, when they once begin, there is danger of their running to such excesses as will overturn the whole system of government. There is the rule from the reverend sage of the law, so often quoted before:

To the effect that: "All present, aiding and assisting, are equally principal with him that gave the stroke whereof the party died. For though one gave the stroke, yet in interpretation of law it is the stroke of every person that was present, aiding and assisting."

Again: "If divers come with one assent to do mischief, as to kill, to rob or beat, and one doeth it, they are all principals in the felony. If many be present and only one give the stroke whereof the party dies, they are all principal, if they came for that purpose."

Now, if the party at Dock Square came with an intention only to beat the soldiers, and began to affray with them, and any of them had been accidentally killed, it would have been murder, because it was an unlawful design they came upon. If but one does it they are all considered in the eyes of the law guilty; if any one gives the mortal stroke, they are all principals here, therefore there is a reversal of the scene. If you are satisfied that these soldiers were there on a lawful design, and it should be proved any

of them shot without provocation, and killed anybody, he only is answerable for it.

In Hale's "Pleas of the Crown," it is stated that: "Although if many come upon an unlawful design, and one of the company kill one of the adverse party in pursuance of that design, all are principals; yet if many be together upon a lawful account, and one of the company kill another of the adverse party, without any particular abetment of the rest to this fact of homicide, they are not all guilty that are of the company, but only those that gave the stroke or actually abetted him to do it."

Again: "In case of a riotous assembly to rob or steal deer, or to do any unlawful act of violence, there the offence of one is the offence of all the company."

In another place: "The Lord Dacre and divers others went to steal deer in the park of one Pellham. Raydon, one of the company, killed the keeper in the park, the Lord Dacre and the rest of the company being in another part of the park. Yet it was adjudged murder in them all, and they died for it." And he quotes Crompton 25, Dalton 93, p. 241: "So that in so strong a case as this, where this nobleman set out to hunt deer in the ground if another, he was in one part of the park and his company in another part, yet they were all guilty of murder."

The next is:

Hale's Pleas of the Crown: "The case of Drayton Bassit; divers persons doing an unlawful act, all are guilty of what is done by one."

Foster says: "A general resolution against all opposers, whether such resolution appears upon evidence to have been actually and implicitly entered into by the confederates, or may reasonably be collected from their number, arms or behavior, at or before the scene of action, such resolutions so proved have always been considered as strong ingredients in cases of this kind. And in cases of homicide committed in consequence of them, every person present, in the sense of the law, when the homicide has been involved in the guilt of him that gave the mortal blow."

Foster: "The cases of Lord Dacre, mentioned by Hale, and of Pudsey, reported by Crompton and cited by Hale, turned upon this point. The offences they respectively stood charged with, as principals, were committed far out of their sight and hearing, and yet both were held to be present. It was sufficient that at the instant the facts were committed, they were of the same party and upon the same pursuit, and under the same engagements and expectations of mutual defence and support with those that did the facts."

Thus far I have proceeded, and I believe it will not be hereafter disputed by anybody, that this law ought to be known to every one who has any disposition to be concerned in an unlawful assembly, whatever mischief happens in the prosecution of the design they set out upon, all are answerable for it. It is necessary we should consider the definitions of some other crimes as well as murder; sometimes one crime gives occasion to another. An assault is sometimes the occasion of manslaughter, sometimes of

excusable homicide. It is necessary to consider what is a riot. I shall give you the definition of it:

"Wheresoever more than three persons use force or violence, for the accomplishment of any design whatever, all concerned are rioters."

Were there not more than three persons in Dock Square? Did they not agree to go to King Street, and attack the main guard? Where, then, is the reason for hesitation at calling it a riot? If we cannot speak the law as it is, where is our liberty? And this is law, that wherever more than three persons are gathered together to accomplish anything with force, it is a riot.

Hawkins affirms: "Wherever more than three persons use force and violence, all who are concerned therein are rioters. But in some cases wherein the law authorizes force, it is lawful and commendable to use it. As for a sheriff or constable, or perhaps even for a private person, to assemble a competent number of people, in order with force to oppose rebels or enemies or rioters, and afterward, with such force actually to suppress them."

I do not mean to apply the word rebel on this occasion; I have no reason to suppose that ever there was one in Boston, at least among the natives of the country; but rioters are in the same situation, as far as my argument is concerned, and proper officers may suppress rioters, and so may even private persons.

If we strip ourselves free from all military laws, mutiny

acts, articles of war and soldiers' oaths, and consider these prisoners as neighbors, if any of their neighbors were attacked in King Street, they had a right to collect together to suppress this riot and combination. If any number of persons meet together at a fair or market, and happen to fall together by the ears, they are not guilty of riot, but of a sudden affray. Here is another paragraph which I must read to you:

Hawkins again says: "If a number of persons being met together at a fair or market, or on any other lawful or innocent occasion, happen, on a sudden quarrel, to fall together by the ears, they are not guilty of a riot, but of a sudden affray only, of which none are guilty but those who actually began it," etc.

It would be endless, as well as superfluous, to examine whether every particular person engaged in a riot were in truth one of the first assembly or actually had a previous knowledge of the design thereof. I have endeavored to produce the best authorities, and to give you the rules of law in their words, for I desire not to advance anything of my own. I choose to lay down the rules of law from authorities which cannot be disputed. Another point is this, whether and how far a private person may aid another in distress? Suppose a press-gang should come on shore in this town and assault any sailor or householder in King Street, in order to carry him on board one of his Majesty's ships, and impress him without any warrant as a seaman in his Majesty's service; how far do you suppose the inhabi-

tants would think themselves warranted by law to interpose against that lawless press-gang? I agree that such a press-gang would be as unlawful an assembly as that was in King Street. If they were to press an inhabitant and carry him off for a sailor, would not the inhabitants think themselves warranted by law to interpose in behalf of their fellow-citizen? Now, gentlemen, if the soldiers had no right to interpose in the relief of the sentry, the inhabitants would have no right to interpose with regard to the citizen, for whatever is law for a soldier is law for a sailor and for a citizen. They all stand upon an equal footing in this respect. I believe we shall not have it disputed that it would be lawful to go into King Street and help an honest man there against the press-master. We have many instances in the books which authorize it.

Now, suppose you should have a jealousy in your minds that the people who made this attack upon the sentry had nothing in their intention more than to take him off his post, and that was threatened by some. Suppose they intended to go a little further, and tar and feather him, or to ride him (as the phrase is in Hudibras), he would have had a good right to have stood upon his defence—the defence of his liberty; and if he could not preserve that without the hazard of his own life, he would have been warranted in depriving those of life who were endeavoring to deprive him of his. That is a point I would not give up for my right hand—nay, for my life.

Well, I say, if the people did this, or if this was only their intention, surely the officers and soldiers had a right to go to his relief; and therefore they set out upon a lawful

errand. They were, therefore, a lawful assembly, if we only consider them as private subjects and fellow citizens, without regard to mutiny acts, articles of war or soldiers' oaths. A private person, or any number of private persons, has a right to go to the assistance of a fellow subject in distress or danger of his life, when assaulted and in danger from a few or a multitude.

The authority says: "If a man perceives another by force to be injuriously treated, pressed, and restrained of his liberty, though the person abused doth not complain or call for aid or assistance, and others, out of compassion, shall come to his rescue, and kill any of those that shall so restrain him, that is manslaughter."

Again: "A and others without any warrant impress B to serve the king at sea. B quietly submitted, and went off with the press-master. Hugett and the others pursued them, and required a sight of their warrant; but they showing a piece of paper that was not a sufficient warrant, thereupon Hugett with the others drew their swords, and the press-masters theirs, and so there was a combat, and those who endeavored to rescue the pressed man killed one of the pretended press-masters. This was but manslaughter; for when the liberty of one subject is invaded, it affects all the rest. It is a provocation to all people, as being of ill example and pernicious consequences."

In the case of the Queen *versus* Tooley *et al.*, Lord Chief-Justice Holt says: "The prisoner (*i. e.* Tooley) in this had sufficient provocation; for if one be impressed upon an unlawful authority, it is a sufficient provocation to all people out of compassion; and where the liberty of the sub-

ject is invaded, it is a provocation to all the subjects of England, etc., and surely a man ought to be concerned for Magna Charta and the laws; and if any one, against the law, imprisons a man, he is an offender against Magna Charta."

I am not insensible to Sir Michael Foster's observations on these cases, but apprehend they do not invalidate the authority of them as far as I now apply them to the purposes of my argument. If a stranger, a mere fellow-subject, may interpose to defend the liberty, he may, too, defend the life of another individual. But, according to the evidence, some imprudent people, before the sentry, proposed to take him off his post; others threatened his life; and intelligence of this was carried to the main guard before any of the prisoners turned out. They were then ordered out to relieve the sentry; and any of our fellow-citizens might lawfully have gone upon the same errand. They were, therefore, a lawful assembly.

I have but one point of law more to consider, and that is this. In the case before you I do not pretend to prove that every one of the unhappy persons slain was concerned in the riot. The authorities read to you just now say it would be endless to prove whether every person that was present and in a riot was concerned in planning the first enterprise or not. Nay, I believe it but justice to say some were perfectly innocent of the occasion. I have reason to suppose that one of them was—Mr. Maverick. He was a very worthy young man, as he has been represented to me, and had no concern in the rioters' proceedings of

that night; and I believe the same may be said in favor of one more at least, Mr. Caldwell, who was slain; and, therefore, many people may think that as he and perhaps another was innocent, therefore innocent blood having been shed, that must be expiated by the death of somebody or other. I take notice of this, because one gentleman was nominated by the sheriff for a juryman upon this trial, because he had said he believed Captain Preston was innocent, but innocent blood had been shed, and therefore somebody ought to be hanged for it, which he thought was indirectly giving his opinion in this cause. I am afraid many other persons have formed such an opinion. I do not take it to be a rule, that where innocent blood is shed the person must die. In the instance of the Frenchman on the plains of Abraham, they were innocent, fighting for their king and country; their blood was as innocent as any. There may be multitudes killed, when innocent blood is shed on all sides; so that is not an invariable rule. I will put a case in which, I dare say, all will agree with me. Here are two persons, the father and the son, go out a-hunting. They take different roads. The father hears a rushing among the bushes, takes it to be game, fires, and kills his son, through a mistake. Here is innocent blood shed, but yet nobody will say the father ought to die for it. So that the general rule of law is, that whenever one person has a right to do an act, and that act, by any accident, takes away the life of another, is excusable. It bears the same regard to the innocent as to the guilty. If two men are together, and attack me, and I have a right to kill them, I strike at them, and by mistake strike a third and kill him, as I had a right

to kill the first, my killing the other will be excusable, as it happened by accident. If I, in the heat of passion, aim a blow at the person who has assaulted me, and aiming at him I kill another person, it is but manslaughter.

Another authority affirms that: "If an action unlawful in itself is done deliberately, and with intention of mischief, or great bodily harm to particulars, or of mischief indiscriminately, fall it where it may, and death ensues, against or beside the original intention of the party, it will be murder. But if such mischevious intention doth not appear, which is matter of fact, and to be collected from circumstances, and the act was done heedlessly and inconsiderately, it will be manslaughter, not accidental death, because the act upon which death ensued was unlawful.

Suppose, in this case, the mulatto man was the person who made the assault; suppose he was concerned in the unlawful assembly, and this party of soldiers, endeavoring to defend themselves against him, happened to kill another person, who was innocent—though the soldiers had no reason, that we know of, to think any person there, at least of that number who were crowding about them, innocent, they might, naturally enough, presume all to be guilty of the riot and assault, and to come with the same design—I say, if on firing on those who were guilty, they accidentally killed an innocent person, it was not their fault. They were obliged to defend themselves against those who were pressing upon them. They are not answerable for it with their lives; for on supposition it was justifiable or excusable to kill Attucks, or any other person, it will be equally justifi-

able or excusable if in firing at him they killed another, who was innocent, or if the provocation was such as to mitigate the guilt of manslaughter, it will equally mitigate the guilt, if they killed an innocent man undesignedly, in aiming at him who gave the provocation, according to Judge Foster; and as this point is of such consequence, I must produce some more authorities for it.

Hawkins on this point says: "Also, if a third person accidentally happen to be killed by one engaged in a combat, upon a sudden quarrel, it seems that he who killed him is guilty of manslaughter only," etc.

I shall now consider one question more, and that is concerning provocation. We have hitherto been considering self defence, and how far persons may go in defending themselves against aggressors, even by taking away their lives, and now proceed to consider such provocations as the law allows to mitigate or extenuate the guilt of killing, where it is not justifiable or excusable. An assault and battery committed upon a man in such a manner as not to endanger his life is such a provocation as the law allows to reduce killing down to the crime of manslaughter. Now, the law has been made on more considerations than we are capable of making at present; the law considers a man as capable of bearing anything and everything but blows. I may reproach a man as much as I please; I may call him a thief, robber, traitor, scoundrel, coward, lobster, bloody back, etc., and if he kills me it will be murder, if nothing else but words precede; but if from giving him such kind of language I proceed to take him by the nose, or fillip him on the forehead, that is an assault; that is a blow. The

law will not oblige a man to stand still and bear it; there is the distinction. Hands off; touch me not. As soon as you touch me, if I run you through the heart, it is but manslaughter. The utility of this distinction, the more you think of it the more you will be satisfied with it. It is an assault whenever a blow is struck, let it be ever so slight, and sometimes even without a blow. The law considers man as frail and passionate. When his passions are touched, he will be thrown off his guard, and therefore the law makes allowance for this frailty—considers him as in a fit of passion, not having the possession of his intellectual faculties, and therefore does not oblige him to measure out his blows with a yardstick, or weigh them in a scale. Let him kill with a sword, gun, or hedge-stake, it is not murder, but only manslaughter.

In Regina *versus* Mawgrige. "Rules supported by authority and general consent and showing what are always allowed to be sufficient provocations. First, if one man upon any words shall make an assault upon another, either by pulling him by the nose or filliping him on the forehead, and he that is so assaulted shall draw his sword and immediately run the other through, that is but manslaughter, for the peace is broken by the person killed, and with an indignity to him that received the assault. Besides, he that was so affronted might reasonably apprehend that he that treated him in that manner might have some further design upon him."

So that here is the boundary, when a man is assaulted and kills in consequence of that assault, it is but manslaughter. I will just read as I go along the definition of assault:

Hawkins states that: "An assault is an attempt or offer, with force or violence, to do a corporal hurt to another, as by striking at him with or without a weapon, or presenting a gun at him at such a distance to which the gun will carry, or pointing a pitchfork at him, or by any other such like act done in angry, threatening manner, etc.; but no words can amount to an assault."

Here is the definition of an assault, which is sufficient provocation to soften killing down to manslaughter:

Hawkins further says that: "Neither can he be thought guilty of a greater crime than manslaughter, who, finding a man in bed with his wife, or being actually struck by him, or pulled by the nose or filliped upon the forehead, immediately kills him, or in defence of his person from an unlawful arrest, or in the defence of his house from those who, claiming a title to it, attempt forcibly to enter it, and to that purpose shoot at it," etc.

Every snowball, oyster shell, cake of ice, or bit of cinder, that was thrown that night at the sentinel, was an assault upon him; every one that was thrown at the party of soldiers was an assault upon them, whether it hit any of them or not. I am guilty of an assault if I present a gun at any person; and if I insult him in that manner and he shoots me, it is but manslaughter.

Foster remarks: "To what I have offered with regard to sudden rencounters let me add, that the blood already too much heated, kindleth afresh at every pass or blow. And in the tumult of the passions, in which the mere instinct of self-preservation has no inconsiderable share, the voice of reason is not heard; and therefore the law, in con-

descension to the infirmities of flesh and blood, doth extenuate the offence."

Insolent, scurrilous, or slanderous language, when it precedes an assault, aggravates it.

Foster again says: "We all know that words of reproach, how grating and offensive soever, are in the eye of the law no provocation in the case of voluntary homicide; and yet every man who hath considered the human frame, or but attended to the workings of his own heart knoweth that affronts of that kind pierce deeper and stimulate in the veins more effectually than a slight injury done to a third person, though under the color of justice, possibly can."

I produce this to show the assault in this case was aggravated by the scurrilous language which preceded it. Such words of reproach stimulate in the veins and exasperate the mind, and no doubt if an assault and battery succeeds them, killing under such provocation is softened to manslaughter, but killing without such provocation makes it murder

---

ANECDOTES AND CHARACTERISTICS OF JOHN ADAMS.

ADAMS'S RULES.

Here is the rule which, with Adams's natural abilities, made him a great lawyer and a great statesman

"Rise and mount your horse by the morning's dawn, and shake away, amidst the great and beautiful scenes of nature that appear at that time of day, all the crudities that are left in your stomach, and all the obstructions that are left in your brains. Then return to your

studies, and bend your whole soul to the institutes of the law and the reports of cases that have been adjusted by the rules of the institutes. Let no trifling diversion or amusement or company decoy you from your books: *i. e.*, no girl, no gun, no cards, no flutes, no violins, no dress, no tobacco, no laziness."

ADAMS AND FRANKLIN.

When Adams went to meet Lord Howe, he had to sleep one night in bed with Franklin in a small room. Adams wanted the window shut: Franklin wanted it open. Adams yielded: Franklin expounded to him his theory that no one ever takes cold from exposure to cold air. He says that Franklin, according to his own physician, died of a cold caught by his sitting some hours in a draft from a window.

ADAMS AS A FIGHTING MARINE.

During Adams's first voyage, his vessel encountered the British privateer "*Martha*," which the "*Boston*" captured after a short action. One cannon shot passed over Adams's head as he stood on the quarter deck. Commodore Tucker found him on deck, musket in hand, firing like a common marine, ordered him to go below, and passed on. Several minutes later he still found him firing his musket. "Why are you here, sir?" cried the Commodore; "I am commanded by the Continental Congress to carry you in safety to Europe, and I will do it." He seized the minister to France in his arms and forced him away.

ADAMS AND MANSFIELD.

In 1783, while still negotiating the peace, Adams was in London. His friend Copley procured for him from the great judge, Lord Mansfield, a place in the House of Lords to hear the King's speech at the opening of Parliament, and to witness the introduction of the Prince of Wales, then arrived at the age of twenty-one. While he stood waiting in the lobby, among a hundred of the first people of the kingdom, "Sir Francis Molineux, the gentleman usher of the black rod, appeared suddenly in the room with his long staff, and roared out with a very loud voice, 'Where is Mr. Adams, Lord Mansfield's friend?' I frankly avowed myself Lord Mansfield's friend, and was politely conducted by Sir Francis to my place. A gentleman said to me the next day, 'How short a time has passed since I heard that same Lord Mansfield say in that same House of Lords—My Lords, if you do not kill him, he will kill you!' Mr. West said to me that this was one of the finest finishings in the picture of American independence."

Lord Mansfield had not said this of Mr. Adams individually, but of the Americans collectively: "If you do not kill them," etc. This was on Dec. 20th, 1775.

ADAMS'S COMMON PLACE BOOK.

When Mr. Adams was about twenty years old, he began a common place book, entering in it extracts from his reading. The first entry in it was a maxim in Greek verse, ascribed to "Pythagoras:"

Let sleep not close my languid eyes
  Till thrice the day has been reviewed:
I've traveled where? I've done what work?
  What duty have I left undone?

This maxim was followed by the eminent German physician, Hufeland (1762-1836), who asked himself every night, "What have I learned to-day?"

ADAMS'S DIARY.

Mr. Adams began a diary at the same time, in which he entered his notes of the day, his feelings, his impressions of persons and events. Pressure of business often interrupted it for long periods. His son, John Quincy, did the same. Much of these documents has been published, making valuable historical material.

ADAMS IN ENGLAND.

When Mr. Adams was appointed minister of the United States at the English court, one of the foreign ambassadors at Paris said to him, "You have been often in England?" "Never but once, in November and December, 1783." "You have relations in England, no doubt?" "None at all." "None? How can that be? You are of English extraction." "Neither my father or mother, grandfather or grandmother, great-grandfather or great-grandmother, nor any other relation that I know of, or care a farthing for, has been in England, these one hundred and fifty years; so that you see I have not one drop of blood in my veins but what is American." "Age, we have seen proof enough of that." "This flattered me, no doubt," Mr. Adams adds, "and I was vain enough to be pleased with it."

THE STORY OF JOHN ADAMS.

FOR A SCHOOL OR CLUB PROGRAMME.

Each numbered paragraph is to be given to a pupil or member to read, or to recite, in a clear, distinct tone.

If the school or club is small, each person may take three or four paragraphs, but should not be required to recite them in succession.

1. John Adams was born at Braintree, Massachusetts, October 19, 1735. He was descended from worthy ancestors, who were among the founders of the province in which he was born.

2. His father was a farmer in plain circumstances, but a man who had received a college education as the only legacy from his father. He determined that John should have the best college education that could be afforded.

3. His mother's name was Susanna Boylston, the daughter of Peter Boylston, of Brookline, Massachusetts.

4. Both of his parents were possessed of admirable traits of character, and were earnest and exemplary in their religious lives.

5. John Adams says that at the first he did not take much interest in his books, and thus disappointed the expectation of his parents who had designed him for a clergyman's life.

6. A change of tutors made an entire change in the boy's inclinations, and he began eagerly to study. He entered Harvard College in 1751, and was graduated in 1755, taking a high position in his class.

7. Having to make his own way in the world, he began by teaching in the public school in the town of Worcester. His salary was very small, which required of him the utmost carefulness in his expenditures.

8. Preferring the study of law to that of the ministry, he prepared himself for his profession under the guidance of Mr. Putnam

9. By diligent attention to his studies he became one of the most thoroughly informed members of the bar in New England.

10. In October, 1758, he was admitted to practice in the Superior Court in Boston, and for several years had to struggle like many young lawyers to gain practice.

11. The first legal case he undertook was decided against him, which greatly mortified him.

12. In 1761 he heard the splendid argument of James Otis

against the "Writs of Assistance," which made a vivid impression upon his mind.

13. On the 25th of October, 1764, he married Abigail Smith, the second daughter of the Rev. William Smith, of Weymouth. She was a woman of great beauty, strong intelligence, and sterling moral excellencies. To her more than to any one else he owed the great success of his after life.

14. His fellow townsmen of Braintree honored him with the positions of Surveyor of the Highways, Selectman and Assessor, and Overseer of the Poor. The duties of these offices he performed with vigor and fidelity. Faithful in the least he was afterwards to become faithful in much.

15. Mr. Adams became one of the leaders of the patriot party by arguing for the sittings of the Courts of Massachusetts, which Chief Justice Hutchinson had refused to hold, because they disregarded the Stamp Act.

16. John Adams and Josiah Quincy, Jr., defended, in the face of great opposition, the officers and soldiers concerned in the Boston Massacre, which occurred on the 5th of March, 1770. It was a brave and noble act for these two men to do.

17. In June, 1770, Mr. Adams was elected a delegate from Boston to the General Court, he having made that city his home. The patriots needed just such a man as Mr. Adams with his legal knowledge and ability as their counselor and guide.

18. While delegate he rendered important services by antagonizing Governor Hutchinson, and afterwards secured the impeachment of Chief Justice Oliver who was bent on destroying the liberties of the colonies.

19. He took his seat as delegate to the first Continental Congress in September, 1774, and became at once one of its recognized leaders.

20. He was returned as delegate to the second Congress in May, 1775, and nominated Washington as commander-in-chief.

21. He returned home in December, 1775, to accept the position of Chief Justice of Massachusetts, and to serve as member of the Provincial Council.

22. Early in 1776 the Council having elected him a delegate to Congress to serve during the year, he went back in February to Philadelphia and exerted a profound influence in that body and throughout the whole country.

23. He succeeded in inducing Congress to advise the colonies to institute governments of their own in place of the royal government which had ceased to exist.

24. On the fifteenth of May Mr. Adams seconded the resolution of Richard Henry Lee for the independence of the colonies, which was adopted by a bare majority of one.

25. He was appointed on the committee to prepare a declaration, which, when presented, he defended in a masterly and convincing manner.

26. His efforts so impressed Jefferson that he styled Mr. Adams "The Colossus of Independence" on the floor of Congress.

27. Mr. Adams was a member of the committee on relations with foreign powers, and was also at the head of the Board of War.

28. He also served as a member of over one hundred different committees, and was chairman of at least twenty-five.

29. He exerted all his powers to give efficient aid to the army, and was the inspiring spirit in organizing a naval force, which was always a cherished feature of his national system.

30. He was appointed in November, 1777, by Congress, to replace Silas Deane, to secure an alliance with France, in response to the demand, "*We want one man of inflexible integrity on the embassy.*"

31. He returned home on the second of August, 1779, having performed his arduous and perplexing duties with great tact and discretion.

32. While assisting in framing a new Constitution for Massachusetts, he was appointed on the 27th of September, 1779, one of the commissioners to help negotiate a treaty of peace with Great Britain.

33. While in Paris waiting for the movements of that power, he had a controversy with Count de Vergennes, the French Minister of Foreign Affairs, in which Dr. Franklin became involved.

34. The matter was ultimately referred to Congress, which, by a formal vote, approved the course of Mr. Adams.

35. He secured, on the 19th of April, 1782, as minister plenipotentiary, a recognition by Holland of the independence of the United States, and afterwards a large loan for the benefit of the government.

36. He helped conduct, with John Jay and Benjamin Franklin, the peace negotiations with Great Britain to a successful issue, which were definitely completed in September, 1783.

37. He afterwards assisted in negotiating commercial treaties with the different nations of Europe, and heard King George announce to Parliament his recognition of the independence of the United States.

38. Mr. Adams was appointed on the 14th of February, 1785, minister in the Court of St. James. George the Third committed another stupendous blunder, which was repeated by his Court, in treating Mr. Adams with frigid politeness and cold distrust.

39. Returning to Boston in 1788, he gave his cordial support to the constitution then under discussion by the States.

40. In the election of 1789, he was unanimously chosen Vice President of the United States. The office often permitted him to exercise a controlling influence upon public affairs.

41. And on the refusal of Washington to serve a third term he was elected President in 1796, and inaugurated at Philadelphia on the 4th of March, 1797.

42. During his term of office the famous measures known as the "Alien and Sedition Acts" were passed.

43. Although Mr. Adams's participation in these laws, which were aimed mainly at French malcontents in the country, was confined to his official signature, it prevented his election the second time as President.

44. During his administration a navy was created in anticipation of a war with France, the beginning of our glorious naval force which has rendered such splendid service in the Spanish-American war.

45. For twenty-five years after his retirement from the Presidency, Mr. Adams lived a peaceful life in his New England home. Sorrow and joy were, however, his portion.

46. On the 28th of October, 1818, his wife, who had been the strong support of his life, was called away. In 1825, when nearly ninety years of age, he heard of the election of his son, John Quincy Adams, as President of the United States, by the House of Representatives.

47. On the 4th of July, 1826, the celebration at Quincy was going on, and the ringing cheers to the toast for the day, which Mr. Adams had presented on the 30th of June—"*Independence Forever*"—were plainly heard by those who were watching the dying statesman.

48. His lips moved. Bending over him his attendants caught the words, "Thomas Jefferson still lives." It was not so. His great co-worker in the cause of independence had just before preceded him to the life beyond.

PROGRAMME FOR A JOHN ADAMS EVENING.

1. Music.
2. Essay—Brief Sketch of Adams's Career.
3. Brief Papers—"Adams in France," "Adams in Holland." Discussion.
4. Music—Vocal or Instrumental.
5. Brief Sketches—"Adams and Hamilton," "Adams and Jefferson." Discussion.
6. Music.
7. Brief Sketch—"Alien and Sedition Acts."
8. Recitation—"From Speeches of John Adams."
9. Music.

QUESTIONS FOR REVIEW.

What is said regarding the supremacy of one mind? Of the constitution of a State? What is the story of the County officers? What does it illustrate? What become of the old jail? The new structure?

What is said of ancient Greece? Of Solon? Of modern States? Of the elements in our daily life? To what are republics suited? What has been the history of France? Of Switzerland? To what should these facts lead us? What is the influence of small communities on republics?

What is said of the Constitution of 1788? Of the founders? Of the caution to be borne in mind? Of patriotism? Of feeling and opinion? Of Washington?

What lessons should republicans and democrats learn? What is said of the early patriots who had different opinions? Of John Adams? Of Henry Adams? Of his ancestors? Of his estate? Of the effect of Nature upon the New Englander? Of Calvin's system? Of Braintree? Of Joseph Adams and family? Whom did President Adams's father marry? When was John Adams born? When and where graduated? To what profession destined? Who were some of his classmates? What was the custom regarding rank in College?

What is said of Adams's early life? Of the year of his graduation, etc? Of the struggles of different religious sects?

What does Adams say of his perplexity in choosing his vocation, etc.? Of Puritan standards and theology, etc.? Of Adams contrasted with other statesman? Of self reliance and self esteem?

Of Mr. Adams's law studies, etc.? Of Adams's profits as a lawyer? Whom did Mr. Adams marry? What is said of the marriage? Of Mr. Adams's devotion to his profession? Of Adams and Otis? Of Adams and March 5, 1774? Of the Stamp Act and Mr. Adams? Of his associates, etc.?

Of Chief Justice Oliver? Of the Boston Tea Party? Of John Adams as compared with Samuel Adams and others? Of the resolution of resistance, etc.? Of the response of the colonies? Of the Continental Congress? Of Parliament? Of the love of personal liberty?

Of the Feudal system? Of fines? Of the king and the raising of money? Of King John and the Magna Charta, etc.? Of George III and his mother? His ministers and Pitt, etc?

What is said of North, etc.? Of the resistance of the commercial States? Of the journey of the delegates from Massachusetts? Of Virginia and Massachusetts? Of the committee on which Mr. Adams served? Of the Declaration of Rights?

Of the control of the Congress? Of the action of the Congress, etc.? Of the suggestion of the Provincial Congress? Of a commander-in-chief, etc.?

Of the points gained by Adams? Of Mr. Adams's confidential letters, etc.? Of his estimate of Dickinson, Hancock? Of their effects? Of Dickinson's Olive Branch?

What instructions were given by Massachusetts? How did Adams find the Congress? What did he prophesy? What did Paine write? What did Adams say regarding the acts of Congress? What were the difficulties of the situation?

Who determined to popularize the local government? How are the Hamiltonian and Jeffersonian systems compared? What is said of Adams and Lee, etc.? What committee was appointed May 25th? What resolutions were adopted June 17th? What movement began May 6th? What preamble was adopted May 15th? What was its effect, etc.? What is said of the debate on Lee's resolution?

What document was reported June 26th? To whom had its preparation been referred? Who wrote it? What is said of the debate upon it? What did Adams write to his wife in the successive paragraphs of the sketch, etc.? What is said of Adams's supreme effort? Of the sessions of the Second Continental Congress? Of his work on committees? Of the one on which he served unwillingly?

Of the conduct of the business of the Congress? Of the jealousies, prevailing? Of the want of appreciation of Washington? Of Washington's rank among men? Of the denial of hostility by Adams towards Washington, etc.?

What was Mr. Adams commissioned to do? What was his object in going to Amsterdam? What was the character of the French minister? In what way were our commissioners humiliated? What did the Americans demand should be their western boundary? What was Spain's counter claim? What can you say of negotiations concerning the fisheries? What was the most difficult subject with which they had to deal? When was the final treaty of peace signed?

What is said of Adams as minister to England and of his services? Of his election as Vice President? Of his estimate of the office? Of Adams and Hamilton? Of the abuse of Washington?

What happened when Adams demanded the fulfillment of the treaty of 1783? When and why did he resign? When was he installed as Vice President? Which party abused both Washington and Adams? What influence did the French Revolution have upon American feeling and policy? What great mistake in policy was committed by President Adams? Under what circumstances were the famous Alien and Sedition laws passed? What did the Sedition law forbid? What opposition was made to the law in Eastern Pennsylvania?

What can you say of the Federal party during the administration of John Adams? What can you say of Jefferson in this connection? What effect did his election to the Presidency have upon the Federal party? What did the Federalists undertake to do in the closing days of their power?

What can you say of the appointment of Chief Justice Marshall? What can you say of the writings of Adams? How did the reconciliation between Jefferson and Adams come about? What can you say of the death of these two men? What was the favorite motto of John Adams?

SUBJECTS FOR SPECIAL STUDY.

1. *The Puritan Character.*
2. *John Adams and Samuel Adams Compared.*
3. *The Feudal System.*
4. *Character of George III.*
5. *The Continental Congress.*
6. *The Influence of the Quakers.*
7. *The Different Colonial Governments.*
8. *John Dickinson.*
9. *Magna Charta.*
10. *Samuel Chase.*
11. *The Various Commissions Appointed by the United States Government During this Period.*

CHRONOLOGICAL EVENTS IN THE LIFE OF JOHN ADAMS.

1735 Oct. 19. John Adams born at Braintree (Quincy), Mass. Spent his early youth on his father's farm.
1755 Graduated at Harvard College. Became schoolteacher at Worcester.
1756 Aug. 23. Began to study law while teaching.
1758 Oct. Came to Boston. Nov. 6, admitted to the bar; recommended by Gridley, leading lawyer of the colony.
1761 Heard Otis's speech on Writs of Assistance.
1764 Oct. 25. Married Abigail Smith, of Weymouth, clergyman's daughter.
1765 Dec. 18. Boston chooses Adams as colleague with Gridley and Otis for argument before the Governor and Council, Dec. 20.
1768 Moved to Boston. Gov. Bernard offers him post of Advocate-General in the Admiralty Court. He refuses it.
1770 March 5, "Boston Massacre." March 6, Adams and Josiah Quincy retained as counsel for Capt. Preston and the soldiers. June 3, elected Representative for Boston. Oct. 24-30, Preston tried and acquitted.
1771 In ill health: removes to Braintree. Despondent. Office in Boston.
1772 In autumn, removed to Boston: determines to avoid politics.
1774 June 17, elected one of the five representatives of Massachusetts in the First Continental Congress, Philadelphia, Sept. 1. Active on committees and in debates. Starts for home on Nov. 28.
1775 May 5-10, journey to Second Congress. Opposes Dickinson's "Olive-Branch;" still dares not say "independence!" Urges

adoption of Army and appointment of Washington; effected June 15. Home in August: in Congress, Sept. 15: on many committees. Home, Dec. Appointed Chief Justice of Massachusetts: accepted: never served.

1776 Jan. 24–Feb. 8, to Philadelphia with Gerry. May 6-15, new State governments advised: Adams assists in making constitutions. June 28, committee on Declaration reports it: July 3, Adams leads debate on it. Work of organization of business. Conference with Lord Howe, Sept. 11. Went home, Oct. 13.

1777 In Congress till Nov. 11. Dec. 3, receives appointment, Commissioner to France.

1778 Feb. 13, sails from Boston: March 31, reaches Bordeaux: at Paris, April 8. Organizes the work of the commission.

1779 June 17–Aug. 2, voyage home. Elected to Massachusetts convention, Aug. 9: serves from opening, Sept. 1 to Nov. 10. Chosen envoy to make peace with England, Sept. 27: commission dated Oct. 20: accepted Nov. 4. Sailed in French frigate Nov. 13. Reached Ferrol Dec. 8.

1780 In Paris, Feb. 5, with sons, John Q. and Charles. Controversy with Vergennes, middle of June. To Holland, July 27. Publishes information about the United States. Thanks of Congress, Dec. 12.

1781 Jan. 1, commissioned plenipotentiary to Holland. To Paris, July 6: soon returns: continues work in Holland.

1782 April 19, Holland recognizes independence; Adams received as minister. Loans obtained: commercial treaty obtained, Oct. 7. Negotiation with England begins March 11: with Oswald as agent, April 6: Adams joins Jay and Franklin in Paris, Oct. 26. They disobey orders of Congress and negotiate without Vergennes. Nov. 30, agreement reached and signed. Dec. 4, Adams sends resignation; not accepted. Commissioners are provoked and disgusted by Livingston's censure.

1783 Jan. 20, commissioners and English agree on truce. Final treaty Sept. 3. Sept., Adams appointed with Jefferson and Franklin to make commercial treaty with England. Sept. 14, Adams ill: to England for rest and health, Oct. 24: in London, Oct. 26. Dec., to Holland.

1784 Same commissioners have power to treat with any nation, and meet at Paris, Aug. 30. Mrs. Adams joins him Aug. 7. Housekeeping near Paris, Aug. 17.

1785 Feb. 24, Congress appoints him minister to Great Britain. Family to London, May. Adams presented to King George III, June 1. Finds his place difficult.

1787 Resigns: resignation accepted, Oct. 5. Congress commends him.

1788 April 20, sails from England.

1789 April 6, declared to be elected Vice President: takes seat, New York, April 20. Often called to give casting vote in Senate.

1793 Vice President again.

1797 Is elected President by three votes over Jefferson. Takes Washington's Cabinet. Hamilton's leadership in the party is troublesome.

1798 French and English insolence and encroachments. X Y Z affair in France: war spirit aroused: Adams popular. Navy increased. Alien Acts, June 25 and July 6: Sedition Act, July 14. Kentucky Resolutions, Nov. 6: Virginia Resolutions, Dec. 21.

1799 Feb., New Embassy to France: it made a treaty Sept. 30, 1800. Continued party struggles. Fries condemned for treason.

1800 Fries pardoned. Cabinet changed. Federal party fails: Adams not re-elected.

1801 Quarrel with Jefferson. Marshall made Chief Justice. "The Midnight Judges." Adams retires. Loses his son Charles.

1818 Oct. 28., Death of Mrs. Adams. Adams previously reconciled to Jefferson.

1820 Mr. Adams made presidential elector; votes for Monroe. Elected to Massachusetts convention, and made president of it, but declines.

1826 July 4, Death of John Adams, almost 91 years old.

BIBLIOGRAPHY.

For those who wish to read extensively the following works are especially commended:

"Works of John Adams, with Life, etc." By his grandson, Charles Francis Adams. 10 vols., 8vo: the first three are biographic.

"Life of John Adams." By John Quincy Adams and Charles Francis Adams: chiefly by C. F. Adams. 2 vols., 12mo. (Nos. 1 and 2 have been principally used for this biography.)

"John Adams." By John T. Morse, Jr. (American Statesmen Series.) 1 vol., 12mo.

"Constitutional History of the U. S." By Hermann Edward Von Holst. Vol. I.

"History of the U. S. under the Constitution." By James Schouler. Vol. I.

"Narrative and Critical History of America." By Justin Winsor. Vol. VII. (This volume gives abundant references to other books.)

"History of the People of the U. S." By John Bach McMaster. Vols. I and II.

"Cyclopedia of Political Science." By J. J. Salor. 3 vols., 8vo.

"The Guide to American History," Channing and Harz, 1 vol., 12mo, is an excellent manual of reference for all students.

LEARN LAW AT HOME

We Offer You a Legal Education
Within the Reach of All

The Home Law School Series

By CHAS. E. CHADMAM, LL.D., *Member of the Ohio Bar*

LAW PRACTICE

IN State examinations in every State for admission to the Bar, students of these books have passed with distinction. This course is indorsed by the Bench, Bar and Law Schools. During eight successful years these books have proven their practicability. Every man or boy who aspires to the *highest success in business* will be helped immensely by this modern course in Commercial Law. The demands of the day are for business men with sufficient knowledge to guide great enterprises safely. No business man can afford to miss this opportunity to enlarge his capacity *"In Public Life."* Legal training is almost essential in an efficient executive or law maker. Our government must, in all its branches, be dominated by minds with legal training.

Single copies can be had at $1.50 each, or the set of twelve volumes, boxed, for $18.00. They are elegantly and substantially bound in ***Half Law Sheep***, Library Style, with Leather Labels Stamped in Gold, and average 225 pages per volume. All sent charges paid upon receipt of price to any address in United States or Canada.

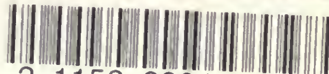
1. How to Study Law $1.50
2. Constitutional Law--Federal and State 1.50
3. Personal Rights and Domestic Relations 1.50
4. Contracts and Partnership 1.50
5. Agency and Bailments, Including Common Carriers 1.50
6. Negotiable Instruments and Principal and Surety 1.50
7. Wills and Settlement of Estates 1.50
8. Personal Property and Equity or Chancery Law 1.50
9. Public Corporations and Private Corporations 1.50
10. Real Property and Pleading and Practice 1.50
11. Criminal Law, Criminal Procedure and Evidence 1.50
12. Public International Law and Legal Ethics 1.50

Send us your name and the names of friends who may likely be interested in the study of law, and we will send literature, and also an easy payment plan of purchasing these volumes in a way that you do not miss the money.

FREDERICK J. DRAKE & CO.

PUBLISHERS

REC'D C.L. JUN 09 '00


3 1158 00042 9265

E
322
W66j